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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

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14 *IN RE: SUBPOENA TO REDDIT, INC.*

Case No. 3:23-mc-80119

(Originating Case: Silva v. Doe 1, et al., S.D.
Fla. 1:22-cv-24262-RKA)

**DECLARATION OF ADAM STOLZ IN
SUPPORT OF PLAINTIFF RICCARDO
SILVA’S MOTION TO COMPEL THIRD-
PARTY REDDIT, INC. TO RESPOND TO
SUBPOENA**

Date: TBD
Time: TBD
Judge: TBD
Ctrm.: TBD

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20 I, Adam Stolz, declare as follows:

21 1. I am an attorney at law who is licensed to practice in the State of Florida. I am a
22 member of the law firm Lash Goldberg LLP, which serves as limited co-counsel for Riccardo
23 Silva (“Plaintiff” or “Mr. Silva”) in a lawsuit currently pending in the United States District Court
24 for the Southern District of Florida under Case No. 1:22-cv-24262-RKA (“Florida Lawsuit”). The
25 Florida Lawsuit addresses an elaborate defamation and harassment campaign against Mr. Silva
26 involving numerous false, defamatory, extreme and outrageous statements published across a
27 website, Twitter.com, Reddit.com, and a mobile billboard, as detailed in the Complaint, and which
28 statements remain publicly available on said platforms, including Reddit.com. Attached hereto as

1 **Exhibit 1** is a true and correct copy of the Complaint filed in the Florida Lawsuit.

2 2. In the Florida Lawsuit, I have responsibility for discovery requests to certain non-
3 party entities, including Reddit, Inc. (“Reddit”), and therefore have personal knowledge of the
4 facts set forth herein and could and would competently testify under oath in a court of law if called
5 upon to do so. I make this Declaration in support of Plaintiff’s Motion to Compel Third-Party
6 Reddit to Respond to Subpoena, filed concurrently herewith.

7 3. Pursuant to this Court’s Civil Local Rule 37, I have met and conferred on numerous
8 occasions with counsel for Reddit, John Roche, Esq., regarding Reddit’s objections to Plaintiff’s
9 subpoena for documents and information from Reddit regarding the identity of the user(s) or
10 subscriber(s) who own(s) and operate(s) the Reddit handle or account, u/SOSilva7 (the “Handle”),
11 given the false and defamatory statements published by “John Doe 2” (and potentially other
12 Defendants) on Reddit’s platform under the Handle.

13 4. On February 10, 2023, I issued a subpoena to Reddit (the “Initial Subpoena”) for
14 discovery sought in connection with the Florida Lawsuit. Attached hereto as **Exhibit 2** is a true
15 and correct copy of the Initial Subpoena.

16 5. On February 15, 2023, Reddit responded to the Initial Subpoena with numerous
17 written objections. Attached hereto as **Exhibit 3** is a true and correct copy of Reddit’s
18 correspondence to my firm objecting to the Initial Subpoena.

19 6. Two days later, on February 17, 2023, I had a telephonic conference with Mr.
20 Roche to discuss Reddit’s objections, and we were able to clarify and dispense with several of
21 those objections. Nevertheless, a few remained, including Reddit’s objection on First Amendment
22 grounds.

23 7. On February 23, 2023, I followed up via email with Mr. Roche asking whether
24 Reddit was willing to reconsider its position of non-compliance, advising “we have no other way
25 of obtaining the information and require it for the limited purposes of service and identification so
26 the proper individual(s) can appear before the court and participate in the [Florida] litigation.”

27 8. On February 27, 2023, Mr. Roche responded via email with a substantially
28 narrowed set of objections. Still, he advised that Reddit was unwilling to compromise on its First

1 Amendment objections and “will need a court to find that any proposed discovery from Reddit
2 satisfies the First Amendment standards enumerated in Reddit’s February 15th objections.”
3 Additionally, due to circumstances no longer at issue, Reddit objected that the case had been
4 stayed and administratively closed in the Southern District of Florida based on a (misunderstood)
5 filing by defendant Mobile Billboards, and that the Court would need to re-open and lift the stay
6 for discovery to proceed against service providers such as Reddit. Further, Mr. Roche advised
7 that, even upon the stay being lifted, Reddit requests that another subpoena be issued “that
8 resolves Reddit’s objection as to the place of compliance being in Tallahassee and its objection as
9 to the vague scope of the request.”

10 9. On February 28, 2023, Plaintiff filed in the U.S. District Court for Southern District
11 of Florida an “Unopposed Motion to Re-Open Case,” which detailed Plaintiff’s diligent efforts to
12 identify the anonymous John Does (*see* ECF Dkt No. 23, at pages 1-2, ¶¶ 4-6) and requested the
13 case be reopened because even if able “to resolve the claims against Defendant Mobile Billboards,
14 ‘the dispute’ continues as to the four John Doe Defendants,” (*id.*, at page 3, ¶ 11), advising that
15 “Plaintiff has yet been unable to serve the John Does with process, as explained *supra*, despite his
16 diligent efforts to date” (*Id.*, at page 3, ¶ 12). Attached hereto as **Exhibit 4** is a true and correct
17 copy of “Plaintiff Riccardo Silva’s Unopposed Motion to Re-Open Case” referenced above (ECF
18 Dkt No. 23).

19 10. On March 1, 2023, I informed Mr. Roche via email that “the court has already
20 re-opened the case and lifted the stay,” and detailed a proposal to mutually resolve Reddit’s
21 revised set of objections.

22 11. On March 6, 2023, Mr. Roche advised via email that Reddit was still unwilling to
23 comply with the third-party discovery request unless: (1) the subpoena was re-issued with a place
24 of compliance within 100 miles of Reddit’s headquarters in California; and (2) Mr. Silva
25 adequately demonstrated there was no reasonably alternative means of obtaining the requested
26 discovery.

27 12. During the course of my work on this case, I gained familiarity with and knowledge
28 about the extensive efforts undertaken by Mr. Silva to identify the Doe Defendants in the Florida

1 Lawsuit, which included subpoenaing multiple third parties and engaging a private investigator,
2 all of which are now a matter of public record as detailed in the Florida case filing described above
3 (ECF Dkt No. 23).

4 13. On March 30, 2023, I responded via email to Mr. Roche to advise that “we still
5 have been unable to obtain the necessary information regarding the [Doe] defendant’s identity
6 from another source and are constrained to renew our request that Reddit provide it.”

7 14. The next day, on March 31, 2023, I telephonically met and conferred again with
8 Mr. Roche in an effort to resolve Reddit’s objections. In sum, to accommodate many of Reddit’s
9 objections, I agreed to request California counsel to issue a new subpoena for documents and
10 information with a place of compliance in San Francisco, California that featured a modified scope
11 (the “Subpoena”). In exchange, Reddit narrowed and dispensed with several objections.

12 15. On March 31, 2023, I emailed counsel for Mobile Billboard, Inc.—the only
13 defendant in the Florida Lawsuit whose identity is currently known to Mr. Silva—to provide
14 notice and a copy of the subpoena to be served on Reddit, who in turn confirmed in writing that
15 Mobile Billboards, Inc. did not object to the Subpoena. Attached hereto as **Exhibit 5** is a true and
16 correct copy of that email correspondence.

17 16. All other defendants in the Florida Lawsuit are “Doe” Defendants whose identities
18 are unknown at this time.

19 17. Attached hereto as **Exhibit 6** is a true and correct copy of the Subpoena issued on
20 March 31, 2023 to Reddit, which is the subject of Mr. Silva’s pending Motion to Compel against
21 Reddit.

22 18. On April 4, 2023, Mr. Roche sent me an email attaching Reddit’s written
23 objections to the Subpoena, advising that he would notify the user via email that same day of the
24 Subpoena, as he had previously done for the Initial Subpoena. Attached hereto as **Exhibit 7** is a
25 true and correct copy of the transmittal email and Reddit’s second objection letter.

26 19. On April 7, 2023, I engaged in another telephonic meet-and-confer with Mr. Roche
27 to attempt to resolve Reddit’s objections. Following the meet-and-confer, I sent a letter to counsel
28 for Reddit in a final effort to mutually resolve the dispute concerning the requested discovery and

provide additional detail concerning Plaintiff's efforts to identify the anonymous defendant(s) responsible for the defamation campaign, advising, "Mr. Silva is unable to obtain the requested information from another source and has in fact exhausted attempts to obtain the discovery elsewhere before serving the Subpoena on Reddit." Attached hereto as **Exhibit 8** is a true and correct copy of my April 7, 2023 letter to Mr. Roche (sent via email).

20. On April 10, 2023, Mr. Roche confirmed Reddit was satisfied that Plaintiff had demonstrated the requested discovery could not reasonably be obtained from another source and sent an email advising “I can confirm that from Reddit’s perspective any motion to compel that your client may file in NDCA would be limited to having the Court resolve the First Amendment issue.”

21. On April 11, 2023, I replied to Mr. Roche via email and advised that it seemed we had exhausted our extensive meet-and-confer efforts with respect to Reddit's First Amendment objection and that further efforts would be futile.

22. Attached hereto as **Exhibit 9** is a true and correct copy of the email chain containing the meet-and-confer correspondence described above between myself and Mr. Roche, counsel for Reddit, for the time period of February 15, 2023 – April 11, 2023.

23. To date, Reddit has not produced any discovery requested in the Subpoena.

Under penalties of perjury under the laws of the United States of America, I declare that I have read the foregoing statement and it is true and accurate.

Executed on this 19th day of April 2023 in Miami, Florida.

By: /s/ Adam J. Stolz
Adam J. Stolz

EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

RICCARDO SILVA,

Plaintiff,

vs.

JOHN DOE 1 (OWNER(S) OF WEBSITE
SOSSILVA.ORG);

JOHN DOE 2 (OWNER(S) OF REDDIT
USERNAME @SOSILVA7);

JOHN DOE 3 (OWNER(S) OF TWITTER
HANDLE @SOSSILVA7);

JOHN DOE 4;

MOBILE BILLBOARDS, INC.,

Defendants.

Case No.: 1:22-cv-24262-RKA

COMPLAINT

Plaintiff Riccardo Silva (“Silva”), hereby sues Defendants John Doe 1, John Doe 2, John Doe 3, and John Doe 4, all of whom may be a single person or may be more than one person (the “John Doe Defendant(s)”), and Mobile Billboards, Inc. (the “Mobile Billboard Defendant,” and together with the John Doe Defendant(s), the “Defendants”) and alleges:

INTRODUCTION

1. This case involves a defamatory campaign waged by the John Doe Defendant(s), with the assistance of the Mobile Billboard Defendant, against Mr. Silva, a successful businessman, a philanthropist, and a devoted husband and father, which campaign was designed to damage Mr. Silva both personally and professionally by publishing false and outrageous accusations of criminality against him.

2. The purpose of this defamatory campaign is unknown to Mr. Silva, as the John Doe Defendants have hidden their identity or identities, but the campaign was designed to cause—and has in fact caused—grave damage to Mr. Silva and his family.

3. Indeed, the Defendants sent a mobile billboard around South Miami Beach during the weekend of Miami Art Basel featuring a large photo of Mr. Silva’s face with text knowingly falsely accusing Mr. Silva of being a “predator.” Mr. Silva was in Miami at the time with his wife and children, and his seventeen-year-old son saw the billboard. This has, not surprisingly, caused devastation to Mr. Silva and his family.

4. The mobile billboard directed viewers’ attention to Twitter and Reddit pages, created by the John Doe Defendant(s), which contain additional knowingly false and defamatory statements. The John Doe Defendant(s) have also created a website that includes still more knowingly false and defamatory statements and accusations against Mr. Silva.

5. The Defendants have caused and are continuing to cause grave damage to Mr. Silva by publishing this knowingly false and defamatory material accusing Mr. Silva of criminal and deviant conduct. Mr. Silva and his family are in fear of their safety and security as a result of the Defendants’ harassment and defamatory campaign.

JURISDICTION AND VENUE

6. The Court has subject matter jurisdiction over this case because the amount of damages sought by Mr. Silva, exclusive of any attorney’s fees, costs, and expenses, exceeds \$75,000.

7. This Court has personal jurisdiction over each of the Defendants in that, at all relevant times, they (a) resided in Florida and/or (b) committed tortious acts in Florida.

8. Venue is proper in this District under 28 U.S.C. §§ 1391(b)(1) and/or 1391(b)(2)

because at least one of the Defendants reside in this District and all Defendants are residents of Florida, and/or because a substantial part of the events giving rise to the below claims occurred in this District.

THE PARTIES

9. Mr. Silva is an individual whose domicile is London, United Kingdom. Mr. Silva owns a condominium in South Miami Beach.

10. Defendant John Doe 1 is the owner of the website sossilva.org. Upon information and belief, John Doe 1 resides in the State of Florida. John Doe 1 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 1 may be one or more individuals and may be the same individual as John Doe 2, 3, or 4.

11. Defendant John Doe 2 is the owner of the Reddit username @SOSilva7. Upon information and belief, John Doe 2 resides in the State of Florida. John Doe 2 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 2 may be one or more individuals and may be the same individual as John Doe 1, 3, or 4.

12. Defendant John Doe 3 is the owner of the Twitter handle @SOSSilva7. Upon information and belief, John Doe 3 resides in the State of Florida. John Doe 3 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 3 may be one or more individuals and may be the same individual as John Doe 1, 2 or 4.

13. Defendant John Doe 4 is the individual who hired the billboard from the Mobile Billboard Defendant. Upon information and belief, John Doe 4 resides in the State of Florida. John Doe 4 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 4 may be one or more individuals and may be the same individual as John Doe 1, 2, or 3.

14. The Mobile Billboard Defendant is a Florida corporation with principal offices in

Parrish, Florida, and is duly authorized to conduct business in the State of Florida. The Mobile Billboard Defendant offers mobile billboard services—i.e., a billboard that is placed on the rear of a motor vehicle and is observable by other motorists and pedestrians. The Mobile Billboard Defendant committed the tortious acts described herein in the State of Florida.

FACTUAL BACKGROUND

15. Mr. Silva is a husband, a father, and a renowned businessman and investor. He owns the investment company, Silva International Investments, an investment company that manages and invests in various sectors—media, technology, sports, entertainment, the arts, and real estate, to name a few. He also owns the model and talent agency, Select Model Management. In addition, he is the president and co-owner of the American professional soccer team, Miami FC, and an investor in and co-owner of AC Milan, one of the most successful soccer teams in the world.

16. Mr. Silva is a devoted philanthropist, as well. He donates substantial time and money to various causes. He has made significant donations across a range of projects in Europe, Africa, and the United States (particularly, Miami, Florida), including to Florida International University (“FIU”), Mount Sinai Medical Center, Gulliver Schools, St. Stephen’s Episcopal Day School, the Bass Museum of Art, the New World Symphony, Play for Change, The Foundation for AIDS Research, Elton John AIDS Foundation, the Novak Djokovic Foundation, Movimiento Shalom, and the Bali Street Kids Project. In recognition of Mr. Silva’s contributions to FIU and, more generally, to the city of Miami, FIU named its football and soccer stadium—Riccardo Silva Stadium—after him.

17. Mr. Silva is an upstanding, law-abiding citizen. And yet, to his shock, the Defendants have recently set forth a damaging campaign against him, designed to damage him

personally and professionally by accusing him of conduct that is categorially false. Specifically, the Defendants have falsely accused Mr. Silva of serial sexual abuse and sexual harassment, bribery, and other falsely alleged conduct. Outrageously, the Defendants have falsely compared Mr. Silva to the likes of Jeffrey Epstein.

18. Each and every one of these accusations against Mr. Silva is knowingly **false**—fabricated by the Defendants to damage and destroy Mr. Silva’s personal and professional life.

19. Mr. Silva seeks compensatory and punitive damages resulting from the harm that the Defendants’ defamatory campaign has caused him and will continue to cause him.

The Website

20. John Doe 1 created the website sossilva.org (the “Website”) on September 8, 2022.

21. The Website contains only the following accusations:

We, the survivors of sexual violence and exploitation at the hands of Riccardo Silva of Select Model Management, Silva International Investments, and other companies, have built this site to tell our story to the world. For years, Silva has used his business interests to further his own dark desires. As young women in the modeling industry, we knew that people like Riccardo Silva were out there, looking to prey on us through a combination of intimidation, bribery and emotional abuse. Silva was and is all that and more. He declared himself “untouchable” to almost all of us. He laughed when confronted with the toll his abuse had taken. He pursued us in every way and tried to destroy us when we resisted.

Like Epstein before him, he sheltered himself from any blowback through his wealth and his connections. Today we say no more. Today, we name Riccardo Silva as a serial sexual predator. We will tell our story to the world. We will not rest until the world knows who Riccardo Silva really is. Not the patron of the arts or football enthusiast or business “mogul”, but a thug. An animal. A coward. An absentee father to children he denies. Your crimes will be exposed.

We demand justice. We will not rest until you acknowledge the havoc you have brought upon the lives of so many.

22. Each and every one of these accusations made by John Doe 1 on the Website against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

The Reddit Campaign

23. John Doe 2 created the Reddit username [u/SOSilva7](https://www.reddit.com/user/SOSilva7) on September 8, 2022—the

same day the Website was created.

24. Throughout October 2022, u/SOSilva7 made the following post (the “Reddit Posts”) across several Reddit forums, including r/NYC, r/Miami, r/Florida, r/Chicago, r/Illinois, r/London, r/metoo, r/Modeling, r/sexualassault, r/TwoXChromosomes, r/abusesurvivors, r/emotionalabuse. Together, there are roughly 16.1 million members in these Reddit forums:

“TW- my story of abuse and harassment.

Hello All,

I was in the industry for years and left after the incident I’ve described below. Currently, my goal is to make aspiring models and others interested in the industry aware that this behavior occurs and is far more commonplace than most think. Everything here happened to me and unfortunately was experienced by several people.

A few years ago, I began working with Select Model Management. They had (and objectively have) a decent reputation in a industry where we all pretty much realize it is only a matter of time until we experience something creepy, unwelcomed or downright horrible.

Over the course of my work, I interacted with Riccardo Silva. He’s European (Italian I think) and married. Extremely wealthy. Multiple businesses and everything you’d expect. We were at several events together and he was always surrounding himself with my colleagues, other women from other agencies or just women in general. His vibe was . . . neutral but hostile? If that makes sense? Not a huge change from most in the industry, so I really just went about my work.

Over time, I saw him at other events more frequently, we made small talk and that was about it. One time he touched my shoulder with unusual force, but I didn’t think much of it. Then he started reaching out. This was unsettling, because I certainly didn’t expect it and while the agency had all of my info, you don’t expect someone who is essentially your boss to reach out socially.

It went from a normal, ‘hey, how are you’, and got weird immediately after. Asking me what I liked sexually. Telling me his body count and who specifically in our agency that he slept with. The ‘obvious benefits’ of me sleeping with him. My brain just blanked. I didn’t really respond initially. This had happened so often before at other places, and a quick ‘fck off!’ usually helped, but not with a person at this level and not there. I just didn’t know what to do.

He kept it up, it became almost an everyday thing. I started to respond and tell him

this made me uncomfortable. He ignored it every time. When I saw him, he'd touch me and say things under his breath. If I was talking to other men, he'd interject himself into the conversation. All the while, he kept harassing me. I mentioned it to other people and they'd shrug, or nod, share their experience and tell me to stay as far away from him as possible. It made me physically sick. I lost weight, lost interest in a lot of things. One of the worst parts was seeing him present this image to the outside world that he was a good guy, pictures with his family playing soccer, art donations, etc. Meanwhile, he tormented me at the same time.

He ramped it up and got angry. If I wouldn't sleep with him on my own, I'd 'do it for money, of course' Constant propositions, across phone, text, dm, etc. Shaming me. Saying he'd destroy me. Destroy my career. Shame my family, especially a family member that was very ill at the time. All the things I feared, however irrational, he pushed on and made me feel like shit. It came to a head when I saw him for the last time and he grabbed me so hard on my arm it left bruises. Told me he 'wasn't interested in trash like me', that he just wanted to toy with me, that I wasn't pretty enough anyway.

I quit. Soon after, a flood of people reached out to me, sharing their experiences, which were identical to my own in some cases, and far, far, far worse in others. He harassed, intimidated, and violently abused several women. He abused his position of power to abuse others.

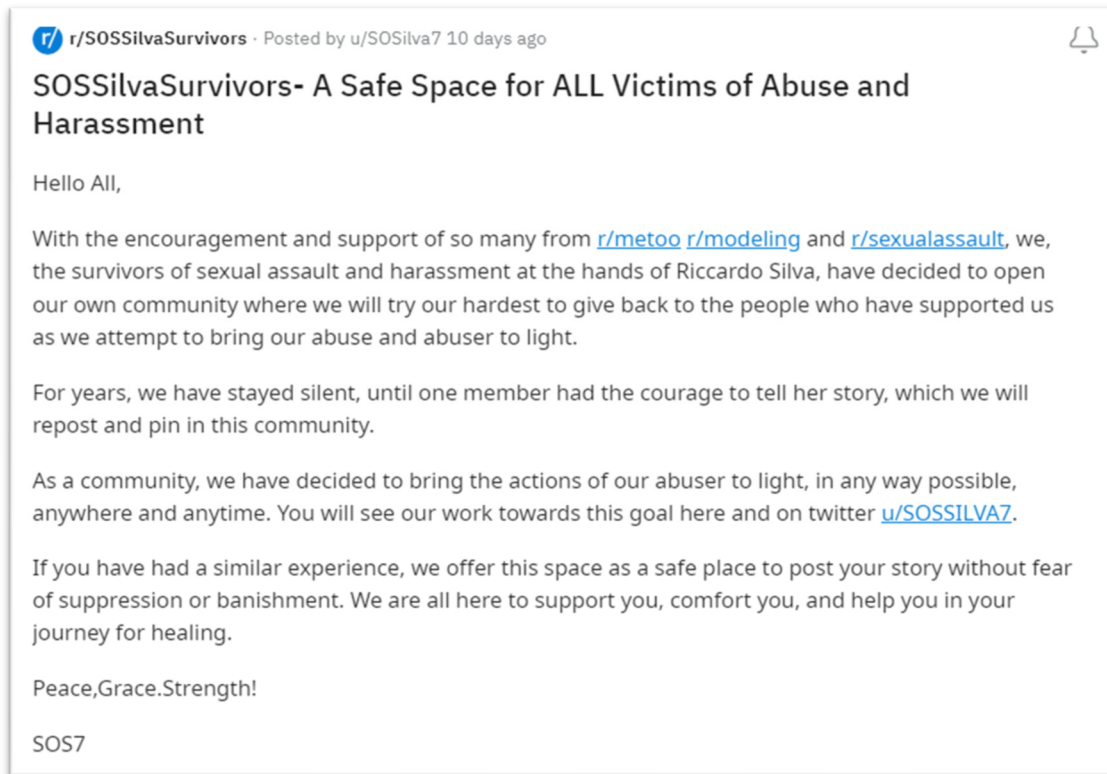
My life was pretty beautiful, and it still is, but despite therapy and wonderful family and friends, Riccardo's harassment and abuse changed who I am, and how I interact with people in every part of my life.

It made me harder, but I'm determined to use that to help others. To make people like him know that they can't treat people like that and to call that abuse out for others.

If you have experienced anything like this, I send you strength and love. Thank you all for reading."

25. In December 2022, John Doe 2 created and assigned itself as the moderator of the Reddit forum r/SOSSilvaSurvivors (the "Reddit Forum").

26. In the Reddit Forum, u/SOSilva7 made the following post:



27. Each and every one of these accusations made by John Doe 2 on Reddit against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

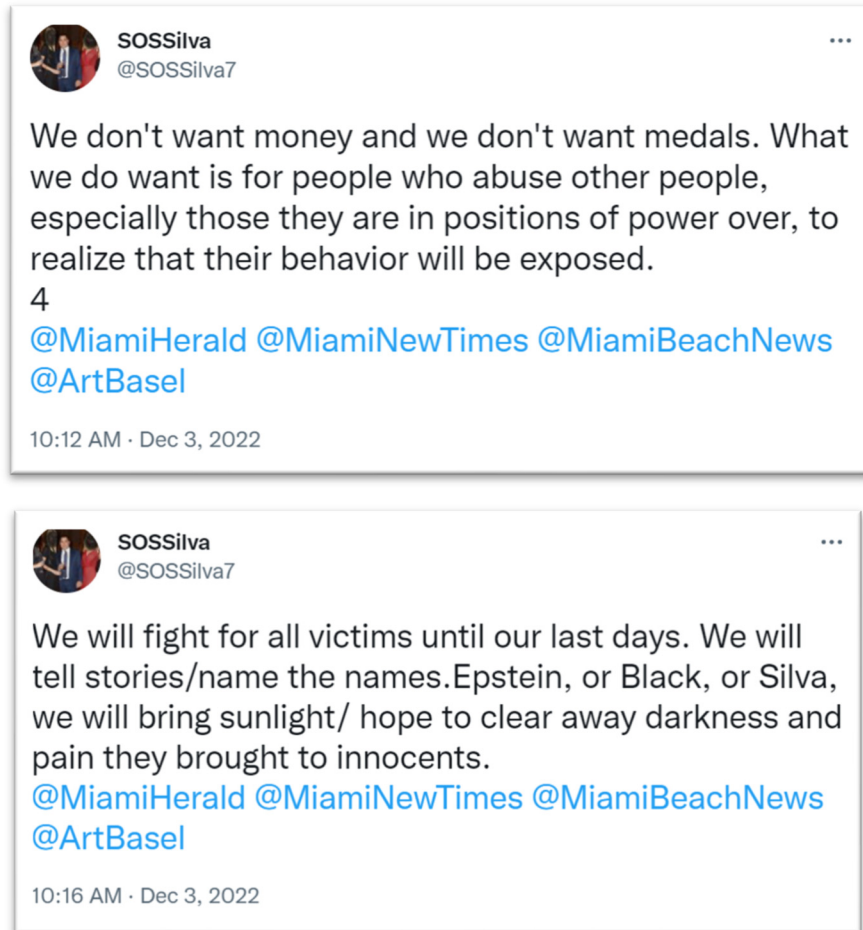
The Twitter Campaign

28. In September 2022, John Doe 3 created the Twitter account @SOSSilva7, which is based out of Miami, Florida, as the account's Twitter page shows. The biography reads: "Survivors Of Silva- The survivors of sexual violence and intimidation at the hands of Riccardo Silva of Select Model Management/Silva International Investments":



29. On December 3, 2022, John Doe 3 posted a five-tweet thread, tagging media entities, such as the Miami Herald, Miami New Times, and Miami Beach News, along with the Twitter account for the international arts festival, Art Basel, which is located in Miami, Florida. The thread contained similar defamatory and false accusations to those made by John Doe 1 on the Website and by John Doe 2 on Reddit:





30. Like the false accusations against Mr. Silva on the Website and on Reddit, John Doe 3's accusations of grotesque conduct against Mr. Silva on Twitter are knowingly false, defamatory, and extreme and outrageous.

The Mobile Billboard Campaign

31. In or around December 2, 2022, Defendant John Doe 4 purchased a mobile billboard (the "Billboard") from the Mobile Billboard Defendant.

32. Defendant John Doe 4 hired the Mobile Billboard Defendant to drive around the location of Mr. Silva's condominium he owns in South Miami Beach on Saturday, December 3, 2022, which was the weekend of Miami Art Basel, one of the busiest weekends of the year in Miami Beach.

33. On the Billboard, the Defendants falsely accused Mr. Silva of being a “predator on the loose in Miami.” Observers of the Billboard are further directed to the above-referenced Twitter handle, @SOSSilva7, and Reddit Forum, r/SOSSilvaSurvivors:



34. The Defendants’ accusation that Mr. Silva is a “predator” is knowingly false,

defamatory, and extreme and outrageous. And, as alleged *supra*, the accusations against him on Twitter and Reddit are knowingly false, defamatory, and extreme and outrageous.

35. The Mobile Billboard Defendant knew or should have known the accusations against him were false or, at least, the Mobile Billboard Defendant recklessly disregarded the falsity of the accusations.

36. Mr. Silva's seventeen-year-old son witnessed the truck driving around the neighborhood of Mr. Silva's South Beach condo. He was devastated to see his father portrayed in this way. This has caused extreme emotional distress to Mr. Silva and his family.

37. Mr. Silva has suffered damages as a result of the Defendants' knowingly false, defamatory, extreme and outrageous, and injurious campaign against him. In particular, Mr. Silva has suffered, and will continue to suffer, monetary damages, including in connection with his reputation and business interests, and severe emotional distress. In addition, Mr. Silva fears for his and his family's safety and security, given the defamatory and harassing campaign against him.

38. All conditions precedent to the maintenance of this action have occurred, been performed, complied with, or waived.

COUNT I: DEFAMATION (LIBEL)
(Against All Defendants)

39. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 38 above.

40. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

41. The Defendants knew that said statements of and concerning Mr. Silva were false, recklessly disregarded the falsity of said statements, and/or were negligent as to the falsity of said statements.

42. As a result of the Defendants' wide publication of the above false statements, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT II: DEFAMATION (LIBEL) PER SE
(Against All Defendants)

43. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 42 above.

44. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

45. Those false, defamatory statements charged that Mr. Silva committed infamous crimes and/or felonies, including without limitation, sex crimes and bribery. In addition, the false, defamatory statements subject Mr. Silva to hatred, distrust, ridicule, contempt, and/or disgrace. Finally, the false, defamatory statements harm Mr. Silva in his many business ventures articulated *supra*.

46. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT III: DEFAMATION (LIBEL) BY IMPLICATION
(Against All Defendants)

47. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 46 above.

48. Mr. Silva asserts Count III in the alternative to Counts I and II.

49. To the extent that one or more of the Defendants' statements on the Website, Twitter, Reddit, and/or the Billboard, which were published to millions of people, are determined to be true, all resulting suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct are false.

50. The false suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct have caused serious harm to Mr. Silva.

51. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT IV: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against All Defendants)

52. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 51 above.

53. The Defendants engaged in extreme and outrageous conduct, including without limitation, by setting forth an internet and billboard campaign to falsely accuse Mr. Silva of heinous, criminal conduct—being compared to the likes of Jeffrey Epstein. Engaging in a campaign to publish knowingly false and defamatory accusations of the most grotesque order goes beyond all possible bounds of decency and such ruthless attacks are intolerable in a civilized society.

54. The Defendants engaged in such extreme and outrageous conduct with the intent to ruin Mr. Silva's personal and professional life, and thus to cause him severe emotional distress.

55. At the very least, the Defendants' extreme and outrageous conduct was done with reckless disregard to the probability of causing Mr. Silva severe emotional distress.

56. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' extreme and outrageous conduct. In addition, the mobile billboard was seen by Mr. Silva's seventeen-year-old son, a likely, and indeed intended, consequence of having the mobile billboard driven outside of Mr. Silva's condominium. Mr. Silva's son was extremely distraught by what he saw, which has caused Mr. Silva severe emotional distress at the damage this defamatory publication has inflicted on his entire family.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT V: INJUNCTION – STALKING, § 784.0485(1), FLA. STAT.
(Against All Defendants)

57. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 56 above.

58. The Defendants have willfully, maliciously, and repeatedly harassed Mr. Silva through their harassment and defamatory campaign against him, both online and in person.

59. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' campaign. In addition, Mr. Silva and his family have suffered from grave concerns to their safety and security as a result of the Defendants' harassment and defamatory campaign.

60. The Defendants' harassment and defamatory campaign serves no legitimate purpose, as it is based on knowing falsehoods.

61. Mr. Silva has a clear legal right to not be harassed and defamed in violation of the law.

62. There is no adequate remedy at law for the further violation of this right, necessitating this Court's intervention to enjoin the Defendants from continuing their campaign.

63. Should the Court fail to permanently enjoin the Defendants from continuing their campaign, Mr. Silva will continue to suffer severe emotional distress and he and his family will continue to be in grave fear for their safety and security.

WHEREFORE, Mr. Silva demands an order permanently enjoining the Defendants from continuing their harassment and defamatory campaign, and such other relief as the Court deems just and proper.

Dated: January 4, 2023

Respectfully submitted,

By: /s/ Joshua M. Mandel

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Counsel for Plaintiff Riccardo Silva

EXHIBIT 2

UNITED STATES DISTRICT COURT

for the
Southern District of Florida**RICCARDO SILVA***Plaintiff*

v.

MOBILE BILLBOARDS, INC., et al.,*Defendant*

Civil Action No. 1:22-cv-24262-RKA

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

REDDIT, INC.**c/o CORPORATION SERVICE COMPANY, 1201 HAYS STREET, TALLAHASSEE, FL 32301**

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place:

119 S. Monroe St., Suite 202, Tallahassee, FL 32301
Attn: Adam Stolz, Esq.
astolz@lashgoldberg.com

Date and Time:

Monday, 02/27/2023 at 10:00 AM (EST)The deposition will be recorded by this method: **Videotaped and transcribed by Court Reporter**

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See Exhibit "A"

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: **February 10, 2023**

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*_____
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing Plaintiff, RICCARDO SILVA, who issues or requests this subpoena, is:

Adam Stolz | Miami Tower, 100 SE 2nd St., Suite 1200, Miami, FL 33131 | astolz@lashgoldberg.com | 305-347-4040**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to

whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 1:22-cv-24262-RKA

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

PLEASE TAKE NOTICE that pursuant to Rule 45 of the Federal Rules of Civil Procedure, you are required to produce the following documents, electronically stored information, or objects, in accordance with the definitions and instructions listed below. In addition, you shall testify with respect to each of the subject matters listed below.

DEFINITIONS

1. The terms “document” or “documents” mean the original and all drafts or copies thereof which are different in any way from the original (whether by interlineations, receipt stamps notation, indication of copies sent or received, or otherwise) and all attached or annexed materials to any written, typewritten, handwritten, printed, graphic, photographic or recorded material, correspondence, telegrams, facsimiles, telexes, emails, memoranda, records of meetings, conferences, telephone or other communications, pamphlets, books, notes, reports, studies, transcripts, indexes, records, charts, tabulations, lists, analyses, graphs, diagrams, estimates, minutes, tapes, photographs and photographic films, sound recordings, phonograph records, video tapes, data compilations from which information can be obtained or can be translated into a form reasonably usable, computer data files, tapes, electronic media, inputs or outputs, and other computer-readable records or programs, all electronically stored or created data, whether written, typed, printed, punched, filmed, marked in any way, data or information stored in any form readable or accessible by computer including, but not limited to, magnetic tape storage media, hard disks, hard drives, floppy disks, compact disks, computer tapes, memory and magnetic tapes of any kind, backup copies and “deleted” files on any computer storage devise or media, including the printed output of any such electronic data/communications processing equipment or magnetically stored information, computer memory, optical media, magneto media, and other

physical media on which notations or making of any kind can be affixed whether located on-site or off-site. All drafts, copies or preliminary materials which are different in any way from the executed or final documents shall be considered to be additional documents as the terms are used herein.

2. The terms “relating to” or “related to” mean constituting or in any way directly or indirectly, concerning, or referring or relating to, reflecting, considering, modifying, amending, confirming, endorsing, evidencing, representing, supporting, qualifying, terminating, recording, concealing, or negating.

3. The term “communication” means any transmission, conveyance, or exchange of information, whether by written, oral, or other means. It shall include, without limitation, any meeting, discussion, contact, conference, telephone conversation, letter, e-mail, transaction, Internet posting, memorandum, document, message (including text and chat messages), telegram, telefax, mailgram, billing statement, electronic recording, or other form of written or oral information transmission or exchange.

4. The terms “all” and “each” shall be construed as all and each.

5. The words “and” as well as “or” shall be construed as either disjunctive or conjunctive and references are to be construed either singular or plural, as necessary to bring within scope of this request to produce any document which might otherwise be construed to be outside its scope.

6. The term “Complaint” refers to the Complaint filed in this Lawsuit. A true and correct copy of the Complaint is attached hereto as Exhibit 1.

7. The terms “You” or “Your” or “Reddit” refers to Reddit, Inc., together with all of its assignors, merged, consolidated or acquired predecessors or successors; parents, divisions,

units, subsidiaries, and affiliates, whether or not wholly-owned; including present and former officers, directors, agents, representatives or employees of any of the foregoing, and including all other persons acting or purporting to act on its behalf; experts, persons consulted concerning any factual matter or matters of opinion relating to any of the facts or issues involved in this action, and unless privileged, its attorneys.

8. The term “Handle” shall mean the Reddit handle or account, u/SOSilva7.

INSTRUCTIONS APPLICABLE TO DOCUMENT REQUESTS

1. The following Instructions are to be considered applicable to each of the Document Requests unless made expressly inapplicable by a particular Request.

2. Reddit is to search all documents within its possession, custody, or control, wherever located, including but not limited to documents placed in storage facilities and documents in the possession of any person acting or purporting to act on Reddit’s behalf. A document is deemed to be in the possession, custody, or control of Reddit if it is in Reddit’s actual possession or custody, or if it is in the custody of another person and Reddit owns the document in whole or in part, or Reddit has the right to inspect, examine, or copy such document, or Reddit has any express or implied understanding that Reddit may use, inspect, or copy such document.

3. Reddit shall produce any and all drafts and copies of each document that are responsive to any Request, and all copies of such documents that are not identical in every respect, including but not limited to copies containing handwritten notes, markings, stamps, or interlineations.

4. Production is sought regardless of whether the document purportedly was “deleted,” if such document is capable of being retrieved or restored.

5. If any of the documents requested was formerly in Reddit's possession, custody, or control but no longer is in Reddit's possession, custody, or control, state when and what disposition was made of the document, and what efforts, if any, Reddit made to obtain each such document in response hereto. Further, if any such document is not in Reddit's possession, custody, or control, but Reddit knows the identity of the person currently in possession or control of such document, state the identity of the person who has the documents, including the address and telephone number of the person.

DOCUMENT PRODUCTION DELIVERY STANDARDS

1. Reddit shall produce electronic documents in the following format:
 - (i) De-Duplication: All responsive materials Documents will be globally de-duplicated throughout the case based on hash values.
 - (ii) Image Format: Group IV B&W single-page TIFF.
 - (iii) Extracted Text Format: Document-level text files. (Extended ASCII or Unicode if foreign language characters present).
 - (iv) File Naming: Each image and extracted text file should be named with the beginning Bates number of the document, preferably not Including prefix (see Proposed Directory Structure below).
 - (v) Directory Structure: Images and text files to be stored in separate directories. The image files will contain up to 2000 images per folder and the text files will contain up to 50,000 files per folder. The folder structure will be as follows:

IMAGES
TEXT
NATIVES
DATA

- (vi) Additional requirements are as follows:

Image Requirements	
Resolution	300 dpi
Image Shrinkage	Bates stamp (e.g. TEST 00000001) should be applied in the bottom .5 inch of the image. Canvas should be 8.5" x 11" for all documents.
Requirements	For spreadsheet files, provide a one-page TIFF placeholder (see also Native File Requirements below). OCR TIFF Image and non-searchable PDF files.

Loadfile/xref: File Requirements	
Load File Type	LFP or OPT
Load File format	ASCII text file
Data File Format	.DAT file
Delimiters	Comma ¶ ASCII character 020 Quote ¨ ASCII character 254 Newline ® ASCII character 174 Multi-value ; ASCII character 059
Field Test	See Metadata Field List below. The first line of each load file must contain the field names.

Native File Requirements	
File Types	The following file types should be delivered in native format unless otherwise specified: Spreadsheet files (e.g. Excel, .csv); Emails (e.g., .msg, .pst, .mbox); and Word Processing files (e.g., .doc, .docx, .wp).
Spreadsheet Data	A one-page (one Bates iteration) TIFF placeholder sheet should accompany the native file version of Spreadsheet files.
Sample Placeholder Page	<<Type of File>>- Delivered as Native File e.g. "Excel Spreadsheet-Delivered as Native File"
Extracted Text	Full extracted text of the native file should be provided in a separate file as if the file had been processed to TIFF. Do not provide the Placeholder Page text in the extracted text.
File Naming	Each native file is named with the beginning Bates number of the document (see Bates requirements above), preferably not including the prefix.
Directory Structure	Native Files should be stored in a separate directory named "Natives". The path to the native data should be iterated in the load file in the Native Path field. The subdirectory structure within this folder should follow the same structure for Images noted above.

Metadata Field List

For documents that originated as ESI, please use the following fields in the metadata load file:
--

- | |
|---|
| <ul style="list-style-type: none"> • Beginning Bates Number (with prefix) • Ending Bates Number (with prefix) • Beginning Family Range Bates Number • Ending Family Range Bates Number • Doc_Type (email, attachment, loose file) • Page Count • File Extension • File Size • Sourcefolder (The full path information for email, attachments and application files beginning with the original source folder name) • Application (The name of the application that generated the native file) • Subject (Subject or Re line for emails) • Title (Title field for application files) • TO (Addressees—email only) • FROM (Recipients—email only) • CC (Cc field—email only) • BCC (Bcc field—email only) • Custodian (name of the person, department or business unit from which a collection of email or application files originate) • Author (name of the author or the creator of an application file) • Date Created • Date Last Modified • Date Sent (email only—accuracy to days) • Time Sent (email only—accuracy to seconds) • Date Received (email only—accuracy to days) • Time Received (email only ---accuracy to seconds) • System Date Created • System Date Modified • System Date Accessed • System Previous Versions |
|---|

DOCUMENT REQUESTS

1. All documents and communications relating to and showing the identity of the owner(s) of the Handle.

MATTERS ON WHICH EXAMINATION IS REQUESTED

1. The identity of the owner(s) of the Handle.

EXHIBIT 1 TO SUBPOENA

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

RICCARDO SILVA,

Plaintiff,

vs.

JOHN DOE 1 (OWNER(S) OF WEBSITE
SOSSILVA.ORG);

JOHN DOE 2 (OWNER(S) OF REDDIT
USERNAME @SOSILVA7);

JOHN DOE 3 (OWNER(S) OF TWITTER
HANDLE @SOSSILVA7);

JOHN DOE 4;

MOBILE BILLBOARDS, INC.,

Defendants.

Case No.: 1:22-cv-24262-RKA

COMPLAINT

Plaintiff Riccardo Silva (“Silva”), hereby sues Defendants John Doe 1, John Doe 2, John Doe 3, and John Doe 4, all of whom may be a single person or may be more than one person (the “John Doe Defendant(s)”), and Mobile Billboards, Inc. (the “Mobile Billboard Defendant,” and together with the John Doe Defendant(s), the “Defendants”) and alleges:

INTRODUCTION

1. This case involves a defamatory campaign waged by the John Doe Defendant(s), with the assistance of the Mobile Billboard Defendant, against Mr. Silva, a successful businessman, a philanthropist, and a devoted husband and father, which campaign was designed to damage Mr. Silva both personally and professionally by publishing false and outrageous accusations of criminality against him.

2. The purpose of this defamatory campaign is unknown to Mr. Silva, as the John Doe Defendants have hidden their identity or identities, but the campaign was designed to cause—and has in fact caused—grave damage to Mr. Silva and his family.

3. Indeed, the Defendants sent a mobile billboard around South Miami Beach during the weekend of Miami Art Basel featuring a large photo of Mr. Silva’s face with text knowingly falsely accusing Mr. Silva of being a “predator.” Mr. Silva was in Miami at the time with his wife and children, and his seventeen-year-old son saw the billboard. This has, not surprisingly, caused devastation to Mr. Silva and his family.

4. The mobile billboard directed viewers’ attention to Twitter and Reddit pages, created by the John Doe Defendant(s), which contain additional knowingly false and defamatory statements. The John Doe Defendant(s) have also created a website that includes still more knowingly false and defamatory statements and accusations against Mr. Silva.

5. The Defendants have caused and are continuing to cause grave damage to Mr. Silva by publishing this knowingly false and defamatory material accusing Mr. Silva of criminal and deviant conduct. Mr. Silva and his family are in fear of their safety and security as a result of the Defendants’ harassment and defamatory campaign.

JURISDICTION AND VENUE

6. The Court has subject matter jurisdiction over this case because the amount of damages sought by Mr. Silva, exclusive of any attorney’s fees, costs, and expenses, exceeds \$75,000.

7. This Court has personal jurisdiction over each of the Defendants in that, at all relevant times, they (a) resided in Florida and/or (b) committed tortious acts in Florida.

8. Venue is proper in this District under 28 U.S.C. §§ 1391(b)(1) and/or 1391(b)(2)

because at least one of the Defendants reside in this District and all Defendants are residents of Florida, and/or because a substantial part of the events giving rise to the below claims occurred in this District.

THE PARTIES

9. Mr. Silva is an individual whose domicile is London, United Kingdom. Mr. Silva owns a condominium in South Miami Beach.

10. Defendant John Doe 1 is the owner of the website sossilva.org. Upon information and belief, John Doe 1 resides in the State of Florida. John Doe 1 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 1 may be one or more individuals and may be the same individual as John Doe 2, 3, or 4.

11. Defendant John Doe 2 is the owner of the Reddit username @SOSilva7. Upon information and belief, John Doe 2 resides in the State of Florida. John Doe 2 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 2 may be one or more individuals and may be the same individual as John Doe 1, 3, or 4.

12. Defendant John Doe 3 is the owner of the Twitter handle @SOSSilva7. Upon information and belief, John Doe 3 resides in the State of Florida. John Doe 3 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 3 may be one or more individuals and may be the same individual as John Doe 1, 2 or 4.

13. Defendant John Doe 4 is the individual who hired the billboard from the Mobile Billboard Defendant. Upon information and belief, John Doe 4 resides in the State of Florida. John Doe 4 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 4 may be one or more individuals and may be the same individual as John Doe 1, 2, or 3.

14. The Mobile Billboard Defendant is a Florida corporation with principal offices in

Parrish, Florida, and is duly authorized to conduct business in the State of Florida. The Mobile Billboard Defendant offers mobile billboard services—i.e., a billboard that is placed on the rear of a motor vehicle and is observable by other motorists and pedestrians. The Mobile Billboard Defendant committed the tortious acts described herein in the State of Florida.

FACTUAL BACKGROUND

15. Mr. Silva is a husband, a father, and a renowned businessman and investor. He owns the investment company, Silva International Investments, an investment company that manages and invests in various sectors—media, technology, sports, entertainment, the arts, and real estate, to name a few. He also owns the model and talent agency, Select Model Management. In addition, he is the president and co-owner of the American professional soccer team, Miami FC, and an investor in and co-owner of AC Milan, one of the most successful soccer teams in the world.

16. Mr. Silva is a devoted philanthropist, as well. He donates substantial time and money to various causes. He has made significant donations across a range of projects in Europe, Africa, and the United States (particularly, Miami, Florida), including to Florida International University (“FIU”), Mount Sinai Medical Center, Gulliver Schools, St. Stephen’s Episcopal Day School, the Bass Museum of Art, the New World Symphony, Play for Change, The Foundation for AIDS Research, Elton John AIDS Foundation, the Novak Djokovic Foundation, Movimiento Shalom, and the Bali Street Kids Project. In recognition of Mr. Silva’s contributions to FIU and, more generally, to the city of Miami, FIU named its football and soccer stadium—Riccardo Silva Stadium—after him.

17. Mr. Silva is an upstanding, law-abiding citizen. And yet, to his shock, the Defendants have recently set forth a damaging campaign against him, designed to damage him

personally and professionally by accusing him of conduct that is categorially false. Specifically, the Defendants have falsely accused Mr. Silva of serial sexual abuse and sexual harassment, bribery, and other falsely alleged conduct. Outrageously, the Defendants have falsely compared Mr. Silva to the likes of Jeffrey Epstein.

18. Each and every one of these accusations against Mr. Silva is knowingly **false**—fabricated by the Defendants to damage and destroy Mr. Silva’s personal and professional life.

19. Mr. Silva seeks compensatory and punitive damages resulting from the harm that the Defendants’ defamatory campaign has caused him and will continue to cause him.

The Website

20. John Doe 1 created the website sossilva.org (the “Website”) on September 8, 2022.

21. The Website contains only the following accusations:

We, the survivors of sexual violence and exploitation at the hands of Riccardo Silva of Select Model Management, Silva International Investments, and other companies, have built this site to tell our story to the world. For years, Silva has used his business interests to further his own dark desires. As young women in the modeling industry, we knew that people like Riccardo Silva were out there, looking to prey on us through a combination of intimidation, bribery and emotional abuse. Silva was and is all that and more. He declared himself “untouchable” to almost all of us. He laughed when confronted with the toll his abuse had taken. He pursued us in every way and tried to destroy us when we resisted.

Like Epstein before him, he sheltered himself from any blowback through his wealth and his connections. Today we say no more. Today, we name Riccardo Silva as a serial sexual predator. We will tell our story to the world. We will not rest until the world knows who Riccardo Silva really is. Not the patron of the arts or football enthusiast or business “mogul”, but a thug. An animal. A coward. An absentee father to children he denies. Your crimes will be exposed.

We demand justice. We will not rest until you acknowledge the havoc you have brought upon the lives of so many.

22. Each and every one of these accusations made by John Doe 1 on the Website against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

The Reddit Campaign

23. John Doe 2 created the Reddit username u/SOSilva7 on September 8, 2022—the

same day the Website was created.

24. Throughout October 2022, u/SOSilva7 made the following post (the “Reddit Posts”) across several Reddit forums, including r/NYC, r/Miami, r/Florida, r/Chicago, r/Illinois, r/London, r/metoo, r/Modeling, r/sexualassault, r/TwoXChromosomes, r/abusesurvivors, r/emotionalabuse. Together, there are roughly 16.1 million members in these Reddit forums:

“TW- my story of abuse and harassment.

Hello All,

I was in the industry for years and left after the incident I’ve described below. Currently, my goal is to make aspiring models and others interested in the industry aware that this behavior occurs and is far more commonplace than most think. Everything here happened to me and unfortunately was experienced by several people.

A few years ago, I began working with Select Model Management. They had (and objectively have) a decent reputation in a industry where we all pretty much realize it is only a matter of time until we experience something creepy, unwelcomed or downright horrible.

Over the course of my work, I interacted with Riccardo Silva. He’s European (Italian I think) and married. Extremely wealthy. Multiple businesses and everything you’d expect. We were at several events together and he was always surrounding himself with my colleagues, other women from other agencies or just women in general. His vibe was . . . neutral but hostile? If that makes sense? Not a huge change from most in the industry, so I really just went about my work.

Over time, I saw him at other events more frequently, we made small talk and that was about it. One time he touched my shoulder with unusual force, but I didn’t think much of it. Then he started reaching out. This was unsettling, because I certainly didn’t expect it and while the agency had all of my info, you don’t expect someone who is essentially your boss to reach out socially.

It went from a normal, ‘hey, how are you’, and got weird immediately after. Asking me what I liked sexually. Telling me his body count and who specifically in our agency that he slept with. The ‘obvious benefits’ of me sleeping with him. My brain just blanked. I didn’t really respond initially. This had happened so often before at other places, and a quick ‘fck off!’ usually helped, but not with a person at this level and not there. I just didn’t know what to do.

He kept it up, it became almost an everyday thing. I started to respond and tell him

this made me uncomfortable. He ignored it every time. When I saw him, he'd touch me and say things under his breath. If I was talking to other men, he'd interject himself into the conversation. All the while, he kept harassing me. I mentioned it to other people and they'd shrug, or nod, share their experience and tell me to stay as far away from him as possible. It made me physically sick. I lost weight, lost interest in a lot of things. One of the worst parts was seeing him present this image to the outside world that he was a good guy, pictures with his family playing soccer, art donations, etc. Meanwhile, he tormented me at the same time.

He ramped it up and got angry. If I wouldn't sleep with him on my own, I'd 'do it for money, of course' Constant propositions, across phone, text, dm, etc. Shaming me. Saying he'd destroy me. Destroy my career. Shame my family, especially a family member that was very ill at the time. All the things I feared, however irrational, he pushed on and made me feel like shit. It came to a head when I saw him for the last time and he grabbed me so hard on my arm it left bruises. Told me he 'wasn't interested in trash like me', that he just wanted to toy with me, that I wasn't pretty enough anyway.

I quit. Soon after, a flood of people reached out to me, sharing their experiences, which were identical to my own in some cases, and far, far, far worse in others. He harassed, intimidated, and violently abused several women. He abused his position of power to abuse others.

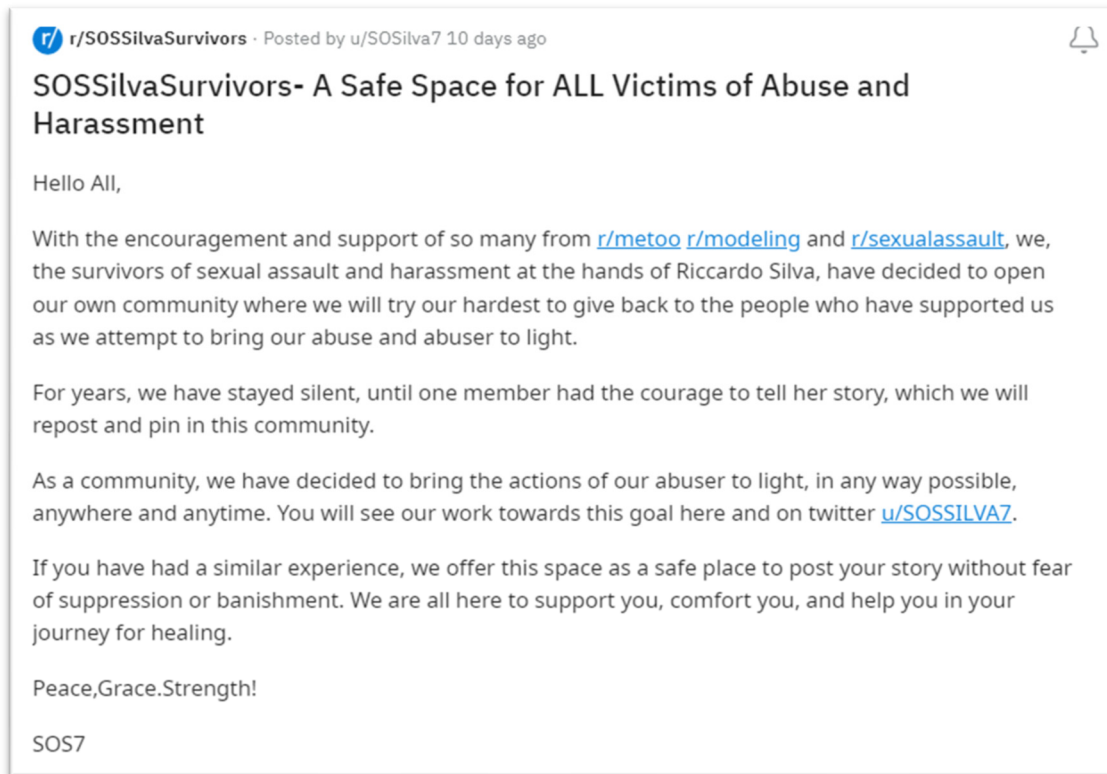
My life was pretty beautiful, and it still is, but despite therapy and wonderful family and friends, Riccardo's harassment and abuse changed who I am, and how I interact with people in every part of my life.

It made me harder, but I'm determined to use that to help others. To make people like him know that they can't treat people like that and to call that abuse out for others.

If you have experienced anything like this, I send you strength and love. Thank you all for reading."

25. In December 2022, John Doe 2 created and assigned itself as the moderator of the Reddit forum r/SOSSilvaSurvivors (the "Reddit Forum").

26. In the Reddit Forum, u/SOSilva7 made the following post:



27. Each and every one of these accusations made by John Doe 2 on Reddit against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

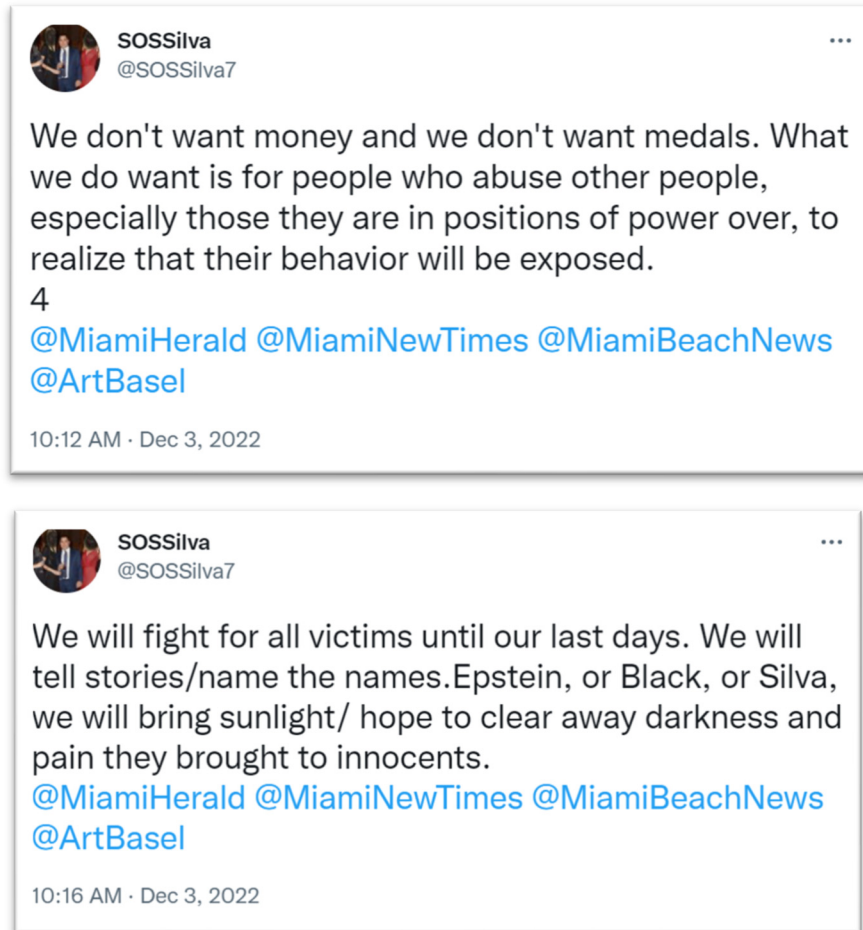
The Twitter Campaign

28. In September 2022, John Doe 3 created the Twitter account @SOSSilva7, which is based out of Miami, Florida, as the account's Twitter page shows. The biography reads: "Survivors Of Silva- The survivors of sexual violence and intimidation at the hands of Riccardo Silva of Select Model Management/Silva International Investments":



29. On December 3, 2022, John Doe 3 posted a five-tweet thread, tagging media entities, such as the Miami Herald, Miami New Times, and Miami Beach News, along with the Twitter account for the international arts festival, Art Basel, which is located in Miami, Florida. The thread contained similar defamatory and false accusations to those made by John Doe 1 on the Website and by John Doe 2 on Reddit:





30. Like the false accusations against Mr. Silva on the Website and on Reddit, John Doe 3's accusations of grotesque conduct against Mr. Silva on Twitter are knowingly false, defamatory, and extreme and outrageous.

The Mobile Billboard Campaign

31. In or around December 2, 2022, Defendant John Doe 4 purchased a mobile billboard (the "Billboard") from the Mobile Billboard Defendant.

32. Defendant John Doe 4 hired the Mobile Billboard Defendant to drive around the location of Mr. Silva's condominium he owns in South Miami Beach on Saturday, December 3, 2022, which was the weekend of Miami Art Basel, one of the busiest weekends of the year in Miami Beach.

33. On the Billboard, the Defendants falsely accused Mr. Silva of being a “predator on the loose in Miami.” Observers of the Billboard are further directed to the above-referenced Twitter handle, @SOSSilva7, and Reddit Forum, r/SOSSilvaSurvivors:



34. The Defendants’ accusation that Mr. Silva is a “predator” is knowingly false,

defamatory, and extreme and outrageous. And, as alleged *supra*, the accusations against him on Twitter and Reddit are knowingly false, defamatory, and extreme and outrageous.

35. The Mobile Billboard Defendant knew or should have known the accusations against him were false or, at least, the Mobile Billboard Defendant recklessly disregarded the falsity of the accusations.

36. Mr. Silva's seventeen-year-old son witnessed the truck driving around the neighborhood of Mr. Silva's South Beach condo. He was devastated to see his father portrayed in this way. This has caused extreme emotional distress to Mr. Silva and his family.

37. Mr. Silva has suffered damages as a result of the Defendants' knowingly false, defamatory, extreme and outrageous, and injurious campaign against him. In particular, Mr. Silva has suffered, and will continue to suffer, monetary damages, including in connection with his reputation and business interests, and severe emotional distress. In addition, Mr. Silva fears for his and his family's safety and security, given the defamatory and harassing campaign against him.

38. All conditions precedent to the maintenance of this action have occurred, been performed, complied with, or waived.

COUNT I: DEFAMATION (LIBEL)
(Against All Defendants)

39. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 38 above.

40. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

41. The Defendants knew that said statements of and concerning Mr. Silva were false, recklessly disregarded the falsity of said statements, and/or were negligent as to the falsity of said statements.

42. As a result of the Defendants' wide publication of the above false statements, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT II: DEFAMATION (LIBEL) PER SE
(Against All Defendants)

43. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 42 above.

44. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

45. Those false, defamatory statements charged that Mr. Silva committed infamous crimes and/or felonies, including without limitation, sex crimes and bribery. In addition, the false, defamatory statements subject Mr. Silva to hatred, distrust, ridicule, contempt, and/or disgrace. Finally, the false, defamatory statements harm Mr. Silva in his many business ventures articulated *supra*.

46. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT III: DEFAMATION (LIBEL) BY IMPLICATION
(Against All Defendants)

47. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 46 above.

48. Mr. Silva asserts Count III in the alternative to Counts I and II.

49. To the extent that one or more of the Defendants' statements on the Website, Twitter, Reddit, and/or the Billboard, which were published to millions of people, are determined to be true, all resulting suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct are false.

50. The false suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct have caused serious harm to Mr. Silva.

51. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT IV: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against All Defendants)

52. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 51 above.

53. The Defendants engaged in extreme and outrageous conduct, including without limitation, by setting forth an internet and billboard campaign to falsely accuse Mr. Silva of heinous, criminal conduct—being compared to the likes of Jeffrey Epstein. Engaging in a campaign to publish knowingly false and defamatory accusations of the most grotesque order goes beyond all possible bounds of decency and such ruthless attacks are intolerable in a civilized society.

54. The Defendants engaged in such extreme and outrageous conduct with the intent to ruin Mr. Silva's personal and professional life, and thus to cause him severe emotional distress.

55. At the very least, the Defendants' extreme and outrageous conduct was done with reckless disregard to the probability of causing Mr. Silva severe emotional distress.

56. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' extreme and outrageous conduct. In addition, the mobile billboard was seen by Mr. Silva's seventeen-year-old son, a likely, and indeed intended, consequence of having the mobile billboard driven outside of Mr. Silva's condominium. Mr. Silva's son was extremely distraught by what he saw, which has caused Mr. Silva severe emotional distress at the damage this defamatory publication has inflicted on his entire family.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT V: INJUNCTION – STALKING, § 784.0485(1), FLA. STAT.
(Against All Defendants)

57. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 56 above.

58. The Defendants have willfully, maliciously, and repeatedly harassed Mr. Silva through their harassment and defamatory campaign against him, both online and in person.

59. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' campaign. In addition, Mr. Silva and his family have suffered from grave concerns to their safety and security as a result of the Defendants' harassment and defamatory campaign.

60. The Defendants' harassment and defamatory campaign serves no legitimate purpose, as it is based on knowing falsehoods.

61. Mr. Silva has a clear legal right to not be harassed and defamed in violation of the law.

62. There is no adequate remedy at law for the further violation of this right, necessitating this Court's intervention to enjoin the Defendants from continuing their campaign.

63. Should the Court fail to permanently enjoin the Defendants from continuing their campaign, Mr. Silva will continue to suffer severe emotional distress and he and his family will continue to be in grave fear for their safety and security.

WHEREFORE, Mr. Silva demands an order permanently enjoining the Defendants from continuing their harassment and defamatory campaign, and such other relief as the Court deems just and proper.

Dated: January 4, 2023

Respectfully submitted,

By: /s/ Joshua M. Mandel

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Counsel for Plaintiff Riccardo Silva

EXHIBIT 3



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February 15, 2023

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VIA EMAIL

Adam J. Stolz
Lash Goldberg
Miami Tower
100 Southeast 2nd Street, Suite 1200
Miami, FL 33131
305-347-4040
astolz@lashgoldberg.com

Re: Subpoena to Reddit, Inc.
***Silva v. Mobile Billboard, Inc., et al.*, No. 1:22-cv-24262 (S.D. Fla.)**

Dear Adam:

We represent Reddit, Inc. (“Reddit”) and write regarding the subpoena issued to Reddit in the above-referenced matter. Reddit objects to the subpoena in its entirety for the reasons below.

First, Reddit objects because the subpoena lists an improper place of compliance. Under Fed. R. Civ. P. 45(c)(1)-(2), the place of compliance must be “at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person.” Reddit is headquartered in San Francisco, California, and as a result the place for compliance (and any enforcement proceeding with respect to the subpoena) must be in the Northern District of California. *See Ortiz v. Harrell*, No. 21-14219-CIV, 2022 WL 457856, at *4 (S.D. Fla. Feb. 14, 2022) (“For non-party corporations, courts find that ‘the place of compliance’ is where a corporation is headquartered.”); *Europay Capital Advisors, LLC v. Does*, 323 F.R.D. 628 (C.D. Cal. 2018) (denying motion to compel Google’s compliance with a subpoena that listed Sherman Oaks as the place for compliance, because Sherman Oaks is more than 100 miles from Google’s Mountain View, California headquarters).¹

Second, Reddit objects to the demand for deposition testimony as unduly burdensome and unnecessary. *See Intermarine, LLC v. Spliethoff Bevrachtungskantoor, B.V.*, 123 F. Supp. 3d 1215, 1218-19 (N.D. Cal. 2015) (quashing deposition subpoena because a litigant “is not entitled to elicit expert testimony from [a service provider], particularly where it can retain its own expert witness to explain these issues[,]” and service providers “should not bear the burden of providing

¹ See also Fed. R. Civ. P. 45(d)(3)(A) (subpoena enforcement proceedings must be held in the district court encompassing the place where compliance is required).

testimony in all cases in which [an account holder's documents] are at issue.”). To the extent Reddit produces any records in response to a subpoena in this matter, those records can be authenticated by a declaration under Fed. R. Evid. 803(6) and 902(11) rather than a deposition.

Third, the request for “[a]ll documents and communications” regarding the identity of the user of the subject account is vague, overbroad, and violates the federal Stored Communications Act (“SCA”), 18 U.S.C. § 2702, to the extent it seeks the contents of any communications. *See Suzlon Energy Ltd. v. Microsoft Corp.*, 671 F.3d 726, 730 (9th Cir. 2011) (litigants may not obtain the content of communications with a civil discovery demand because it would “invade[] the specific interests that the [SCA] seeks to protect.”); *Classic Soft Trim, Inc. v. Albert*, No. 618CV1237ORL78GJK, 2020 WL 6749836, at *3 (M.D. Fla. Sept. 21, 2020) (“a provider may not disclose the content of electronic communications pursuant to a civil subpoena”). The most Reddit could produce in response to this request is basic subscriber information (“BSI”) as enumerated by the SCA, 18 U.S.C. § 2703(c)(2).

Finally, the subpoena implicates the First Amendment right to anonymous speech and is therefore premature to the extent it seeks BSI for purposes of identifying the speaker. *See In re DMCA § 512(h) Subpoena to Twitter, Inc.*, No. 20-mc-80214-VC, 2022 WL 2205476, at *2 (N.D. Cal. June 21, 2022) (“the ability to speak anonymously on the Internet promotes the robust exchange of ideas and allows individuals to express themselves freely without ‘fear of economic or official retaliation ... [or] concern about social ostracism.’”) (quoting *In re Anonymous Online Speakers*, 661 F.3d 1168, 1173 (9th Cir. 2011)). “[W]hen adjudicating a subpoena or other request for compelled disclosure that would reveal the identity of an anonymous speaker, a court should (1) notify the speaker and provide them with an opportunity to (anonymously) defend their anonymity; (2) require the party seeking disclosure to make a prima facie showing on the merits of their claim; and (3) balance the equities, weighing the potential harm to the party seeking disclosure against the speaker’s interest in anonymity, in light of the strength of the underlying claim.” *In re DMCA § 512(h) Subpoena to Twitter, Inc.*, 2022 WL 2205476, at *3. An additional relevant factor is whether the identifying information “is unavailable from any other source.” *Rich v. Butowsky*, No. 20-mc-80081-DMR, 2020 WL 5910069, at *4 (N.D. Cal. Oct. 6, 2020). We understand Mobile Billboards is a defendant, and plaintiff may therefore be able to obtain identifying information about the person behind this alleged scheme from Mobile Billboards. Plaintiff should exhaust discovery from any known defendants before seeking discovery from Reddit. *See Realtime Data, LLC v. MetroPCS Texas, LLC*, No. C 12–80130, 2012 WL 3727304, at *2 (N.D. Cal. Aug. 28, 2012) (“[Plaintiff] has not demonstrated exactly what additional documents it requires beyond those it has secured or should have secured from [Defendant].”). If plaintiff exhausts discovery from any known defendants and issues an amended subpoena that corrects the issues described above, Reddit reserves the right to require the judicial findings described above under the First Amendment before it can be compelled to produce any BSI.

Page 3

Please contact me if you have any questions or would like to discuss this matter. In the meantime, Reddit does not waive and expressly reserves all available rights and objections.

Sincerely,

A handwritten signature in blue ink, appearing to be "JR" followed by a stylized flourish.

John Roche

EXHIBIT 4

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

RICCARDO SILVA,

Plaintiff,

vs.

MOBILE BILLBOARDS, INC., et al.

Defendants.

Case No.: 22-cv-24262-Altman/Reid

PLAINTIFF RICCARDO SILVA’S UNOPPOSED MOTION TO RE-OPEN CASE

Plaintiff Riccardo Silva (“Plaintiff”) hereby respectfully moves the Court for an Order re-opening the case, and in support thereof, states as follows:

1. Plaintiff filed this lawsuit on December 30, 2022. [ECF No. 1].
2. In the Complaint, [ECF No. 7-1], Plaintiff names five defendants: Mobile Billboards, Inc. (“Mobile Billboards”) and four John Doe Defendants (the “John Does”).
3. In particular, Plaintiff alleges in his Complaint that the four John Does have anonymously defamed him, through forums such as Twitter, Reddit, a website (the “Website”), and a mobile billboard.
4. Since filing his lawsuit, Plaintiff has been working diligently to identify the anonymous John Does, including for purposes of service of process. *See* Joint Sched. Rpt. [ECF No. 18] (Plaintiff informing the Court that his efforts to identify the John Does are underway). As part of those efforts, Plaintiff has done the following to date:
 - A. Subpoenaed Reddit for the identities of the owner(s) of the Reddit username, the publisher(s) of the Reddit posts, and the moderator(s) of the Reddit forum at issue in the Complaint;
 - B. Subpoenaed Twitter for the identity of the owner(s) of the Twitter account at issue in the Complaint;

- C. Subpoenaed Wix for the identity of the purchaser of the Wix-domain associated with the Website at issue in the Complaint;
- D. Subpoenaed Verizon, which is the cell-phone service provider for at least one individual believed to be at the helm of the defamation campaign against Plaintiff and the network provider for the IP address associated with the Website;
- E. Subpoenaed several individuals believed to be involved in the defamation campaign against Plaintiff based on records produced by Verizon and Wix;
- F. Subpoenaed a restaurant in New York City to identify the owner(s) of a phone number used by the individual(s) who Plaintiff believes is involved in the defamation campaign against him; and
- G. Subpoenaed Chase Bank, N.A. to identify the owner(s) of a certain debit or credit card used to purchase the Wix domain name for the Website at issue in the Complaint.
- H. Engaged a private investigator to assist in identifying the John Does.

5. In addition, Plaintiff is in the process of preparing and issuing subpoenas to several other individuals and companies he has learned have been in contact with the anonymous individuals believed to be involved in the defamation campaign against him. Those individuals and companies include the following:

- A. Several aerial banner companies, which provide aerial billboard services, akin to the mobile billboard services offered by Defendant Mobile Billboards;
- B. Another mobile-billboard company, which offers mobile-billboard services akin to those offered by Defendant Mobile Billboards; and
- C. At least three other cell-phone service providers, who Plaintiff has learned are the providers for cell-phone numbers believed to be involved in the defamation campaign against him.

6. In short, Plaintiff is working diligently on unraveling the anonymous network out to falsely attack him.

7. Indeed, Plaintiff's efforts have thus far revealed the identities of at least two individuals known to be involved in—and believed to be spearheading—the defamation campaign against Plaintiff.

8. Plaintiff intends to name those two individuals (and possibly other individuals, depending on the results of his efforts described *supra*), and at least one company, in an amended complaint, which is due to the Court on or before March 29, 2023, per the Court's Scheduling Order. *See* [ECF No. 19].

9. However, upon Defendant Mobile Billboards' unopposed motion for extension of time to respond to the Complaint, the Court entered an Order administratively closing this case. *See* Paperless Order [ECF No. 22].

10. In the Order, the Court stated the basis for its administrative closure: "In their Motion, the Defendants told us they have 'been in communication with counsel for [Plaintiff] in an attempt to reach an agreement which would resolve the dispute without exhausting the Court's valuable time and without the need for costly litigation.'"

11. To be clear, only one Defendant—Mobile Billboards—moved for an extension of time to respond to the Complaint. Mobile Billboards is just one piece to what appears to be a much-larger puzzle in the defamation campaign waged against Plaintiff. Even if Plaintiff and Defendant Mobile Billboards were to resolve the claims against Defendant Mobile Billboards, "the dispute" continues as to the four John Doe Defendants.

12. Given the extraordinary lengths at which the John Does have attempted to anonymously and falsely accuse Plaintiff of criminal conduct, Plaintiff has yet been unable to serve the John Does with process, as explained *supra*, despite his diligent efforts to date.

13. And, thus, the Court’s administrative closure of this case is prejudicial to Plaintiff’s efforts to identify the John Does. Indeed, on February 27, 2023, in-house counsel for Reddit wrote to Attorney Adam Stolz, co-counsel for Plaintiff, that it would not comply with Plaintiff’s subpoena, in part, because of the Court’s administrative closure. In particular, Reddit’s counsel stated that Reddit would not comply with the subpoena “particularly now that the case is stayed,” and that before it were to comply with the subpoena, “Plaintiff will need to get the S.D. Fla. Court to lift the stay.”

14. Accordingly, Plaintiff respectfully requests that the Court re-open the case so that Plaintiff can proceed with his case against the Defendants, including the John Doe Defendants, pursuant to the Court’s Scheduling Order.

15. Plaintiff has conferred with Defendant Mobile Billboards, which does not oppose the relief sought through this Motion and asks that it have, as it requested, until April 14, 2023 to file its answer to Plaintiff’s complaint.

WHEREFORE, Plaintiff Riccardo Silva respectfully requests that this Court enter an Order re-opening the case, setting the April 14, 2023 deadline for Defendant Mobile Billboards to answer Plaintiff’s Complaint, and for such further relief as this Court deems equitable, just, and proper.

Dated: February 28, 2023

Respectfully submitted,

By: /s/ Joshua M. Mandel

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ADAM J. STOLZ
Florida Bar No. 1011946
astolz@lashgoldberg.com

Co-Counsel for Plaintiff Riccardo Silva

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of February, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Joshua M. Mandel
JOSHUA M. MANDEL

EXHIBIT 5

From: Paul Thanasides <paul@mcintyrefirm.com>
Sent: Friday, March 31, 2023 4:25 PM
To: Adam Stolz
Cc: ComplexLit E-Service; CL Service; Christen Hernandez; Mouhannad Atfeh
Subject: Re: R. 45 Notice of Subpoenas__Silva v. Mobile Billboards Inc., et al., Case No. 1:22-cv-24262-RKA (S.D. Fla)
Attachments: image001.png

EXTERNAL:

No objection.

Paul Thanasides

McIntyre Thanasides

paul@mcintyrefirm.com

813.412.0393 (c) | 813.223.0000 (o)

On Mar 31, 2023, at 6:05 PM, Adam Stolz <astolz@lashgoldberg.com> wrote:

[*This email originated from outside of McIntyre*]

Some people who received this message don't often get email from astolz@lashgoldberg.com. [Learn why this is important](#)

Paul,

I am co-counsel for Riccardo Silva in connection with the above-referenced matter. Please find attached a Notice of Service of Subpoenas on Various Entities pursuant to Fed. R. Civ. P. 45. Please promptly advise whether your client, Mobile Billboards, Inc., has any objections or questions regarding the attached.

Thank you and have a nice weekend.

Sincerely,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image001.png>

Miami Tower

100 SE 2nd St., Ste. 1200

Miami, Florida 33131

www.lashgoldberg.com

<R. Silva Notice of Service of Subpoenas on Various Entities__03.31.2023.pdf>

EXHIBIT 6

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

RICCARDO SILVA

Plaintiff

v.

JOHN DOE 1, JOHN DOE 2, JOHN
DOE 3, JOHN DOE 4, and MOBILE
BILLBOARDS, INC.*Defendants*

Civil Action No. 1:22-cv-24262-RKA

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS IN A CIVIL ACTIONTo: **Reddit, Inc. c/o CSC – Lawyers Incorporating Service (registered agent)**
2710 Gateway Oaks Drive, Suite 150N
Sacramento, CA 95833-3505To: John Roche, Esq. o/b/o Reddit, Inc.
JRoche@perkinscoie.com*Production:* **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:**See Attached Exhibit “A”**Place:
Bartko Zankel Bunzel & Miller
One Embarcadero Center, Ste. 800, San Francisco, CA 94111
Attn: Kerry L. Duffy; Adam J. Stolz

astolz@lashgoldberg.comDate and Time:

Monday, 04/10/2023 at 5:00 PM

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: **March 31, 2023**

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing Plaintiff, RICCARDO SILVA, who issues or requests this subpoena, is:

Adam Stolz | Miami Tower, 100 SE 2nd St., Suite 1200, Miami, FL 33131 | astolz@lashgoldberg.com | 305-347-4040**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 1:22-cv-24262-RKA

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A

EXHIBIT A

PLEASE TAKE NOTICE that pursuant to Rule 45 of the Federal Rules of Civil Procedure, you are required to produce the following documents, electronically stored information, or objects, in accordance with the definitions and instructions listed below. In addition, you shall testify with respect to each of the subject matters listed below.

DEFINITIONS

1. The terms “document” or “documents” mean the original and all drafts or copies thereof which are different in any way from the original (whether by interlineations, receipt stamps notation, indication of copies sent or received, or otherwise) and all attached or annexed materials to any written, typewritten, handwritten, printed, graphic, photographic or recorded material, correspondence, telegrams, facsimiles, telexes, emails, memoranda, records of meetings, conferences, telephone or other communications, pamphlets, books, notes, reports, studies, transcripts, indexes, records, charts, tabulations, lists, analyses, graphs, diagrams, estimates, minutes, tapes, photographs and photographic films, sound recordings, phonograph records, video tapes, data compilations from which information can be obtained or can be translated into a form reasonably usable, computer data files, tapes, electronic media, inputs or outputs, and other computer-readable records or programs, all electronically stored or created data, whether written, typed, printed, punched, filmed, marked in any way, data or information stored in any form readable or accessible by computer including, but not limited to, magnetic tape storage media, hard disks, hard drives, floppy disks, compact disks, computer tapes, memory and magnetic tapes of any kind, backup copies and “deleted” files on any computer storage devise or media, including the printed output of any such electronic data/communications processing equipment or magnetically stored information, computer memory, optical media, magneto media, and other

physical media on which notations or making of any kind can be affixed whether located on-site or off-site. All drafts, copies or preliminary materials which are different in any way from the executed or final documents shall be considered to be additional documents as the terms are used herein.

2. The terms “relating to” or “related to” mean constituting or in any way directly or indirectly, concerning, or referring or relating to, reflecting, considering, modifying, amending, confirming, endorsing, evidencing, representing, supporting, qualifying, terminating, recording, concealing, or negating.

3. The term “communication” means any transmission, conveyance, or exchange of information, whether by written, oral, or other means. It shall include, without limitation, any meeting, discussion, contact, conference, telephone conversation, letter, e-mail, transaction, Internet posting, memorandum, document, message (including text and chat messages), telegram, telefax, mailgram, billing statement, electronic recording, or other form of written or oral information transmission or exchange.

4. The terms “all” and “each” shall be construed as all and each.

5. The words “and” as well as “or” shall be construed as either disjunctive or conjunctive and references are to be construed either singular or plural, as necessary to bring within scope of this request to produce any document which might otherwise be construed to be outside its scope.

6. The term “Complaint” refers to the Complaint filed in this Lawsuit. A true and correct copy of the Complaint is attached hereto as Exhibit 1.

7. The terms “You” or “Your” or “Reddit” refers to Reddit, Inc., together with all of its assignors, merged, consolidated or acquired predecessors or successors; parents, divisions,

units, subsidiaries, and affiliates, whether or not wholly-owned; including present and former officers, directors, agents, representatives or employees of any of the foregoing, and including all other persons acting or purporting to act on its behalf; experts, persons consulted concerning any factual matter or matters of opinion relating to any of the facts or issues involved in this action, and unless privileged, its attorneys.

8. The term “Handle” shall mean the Reddit handle or account, u/SOSilva7.

INSTRUCTIONS APPLICABLE TO DOCUMENT REQUESTS

1. The following Instructions are to be considered applicable to each of the Document Requests unless made expressly inapplicable by a particular Request.

2. Reddit is to search all documents within its possession, custody, or control, wherever located, including but not limited to documents placed in storage facilities and documents in the possession of any person acting or purporting to act on Reddit’s behalf. A document is deemed to be in the possession, custody, or control of Reddit if it is in Reddit’s actual possession or custody, or if it is in the custody of another person and Reddit owns the document in whole or in part, or Reddit has the right to inspect, examine, or copy such document, or Reddit has any express or implied understanding that Reddit may use, inspect, or copy such document.

3. Reddit shall produce any and all drafts and copies of each document that are responsive to any Request, and all copies of such documents that are not identical in every respect, including but not limited to copies containing handwritten notes, markings, stamps, or interlineations.

4. Production is sought regardless of whether the document purportedly was “deleted,” if such document is capable of being retrieved or restored.

5. If any of the documents requested was formerly in Reddit's possession, custody, or control but no longer is in Reddit's possession, custody, or control, state when and what disposition was made of the document, and what efforts, if any, Reddit made to obtain each such document in response hereto. Further, if any such document is not in Reddit's possession, custody, or control, but Reddit knows the identity of the person currently in possession or control of such document, state the identity of the person who has the documents, including the address and telephone number of the person.

DOCUMENT PRODUCTION DELIVERY STANDARDS

1. Reddit shall produce electronic documents in the following format:
 - (i) De-Duplication: All responsive materials Documents will be globally de-duplicated throughout the case based on hash values.
 - (ii) Image Format: Group IV B&W single-page TIFF.
 - (iii) Extracted Text Format: Document-level text files. (Extended ASCII or Unicode if foreign language characters present).
 - (iv) File Naming: Each image and extracted text file should be named with the beginning Bates number of the document, preferably not Including prefix (see Proposed Directory Structure below).
 - (v) Directory Structure: Images and text files to be stored in separate directories. The image files will contain up to 2000 images per folder and the text files will contain up to 50,000 files per folder. The folder structure will be as follows:

IMAGES
TEXT
NATIVES
DATA

- (vi) Additional requirements are as follows:

Image Requirements	
Resolution	300 dpi
Image Shrinkage	Bates stamp (e.g. TEST 00000001) should be applied in the bottom .5 inch of the image. Canvas should be 8.5" x 11" for all documents.
Requirements	For spreadsheet files, provide a one-page TIFF placeholder (see also Native File Requirements below). OCR TIFF Image and non-searchable PDF files.

Loadfile/xref: File Requirements	
Load File Type	LFP or OPT
Load File format	ASCII text file
Data File Format	.DAT file
Delimiters	Comma ¶ ASCII character 020 Quote ¨ ASCII character 254 Newline ® ASCII character 174 Multi-value ; ASCII character 059
Field Test	See Metadata Field List below. The first line of each load file must contain the field names.

Native File Requirements	
File Types	The following file types should be delivered in native format unless otherwise specified: Spreadsheet files (e.g. Excel, .csv); Emails (e.g., .msg, .pst, .mbox); and Word Processing files (e.g., .doc, .docx, .wp).
Spreadsheet Data	A one-page (one Bates iteration) TIFF placeholder sheet should accompany the native file version of Spreadsheet files.
Sample Placeholder Page	<<Type of File>>- Delivered as Native File e.g. "Excel Spreadsheet-Delivered as Native File"
Extracted Text	Full extracted text of the native file should be provided in a separate file as if the file had been processed to TIFF. Do not provide the Placeholder Page text in the extracted text.
File Naming	Each native file is named with the beginning Bates number of the document (see Bates requirements above), preferably not including the prefix.
Directory Structure	Native Files should be stored in a separate directory named "Natives". The path to the native data should be iterated in the load file in the Native Path field. The subdirectory structure within this folder should follow the same structure for Images noted above.

Metadata Field List

For documents that originated as ESI, please use the following fields in the metadata load file:
--

- | |
|---|
| <ul style="list-style-type: none"> • Beginning Bates Number (with prefix) • Ending Bates Number (with prefix) • Beginning Family Range Bates Number • Ending Family Range Bates Number • Doc_Type (email, attachment, loose file) • Page Count • File Extension • File Size • Sourcefolder (The full path information for email, attachments and application files beginning with the original source folder name) • Application (The name of the application that generated the native file) • Subject (Subject or Re line for emails) • Title (Title field for application files) • TO (Addressees—email only) • FROM (Recipients—email only) • CC (Cc field—email only) • BCC (Bcc field—email only) • Custodian (name of the person, department or business unit from which a collection of email or application files originate) • Author (name of the author or the creator of an application file) • Date Created • Date Last Modified • Date Sent (email only—accuracy to days) • Time Sent (email only—accuracy to seconds) • Date Received (email only—accuracy to days) • Time Received (email only ---accuracy to seconds) • System Date Created • System Date Modified • System Date Accessed • System Previous Versions |
|---|

DOCUMENT REQUESTS

1. All non-content documents, communications, and information that constitute basic subscriber information for the owner(s) of the Handle, including, but not limited to, name(s), street/mailling address(s), email address(es), IP logs, username(s) or other subscriber identity, payment information, billing information, or any other information that is related or could be used to identify the owner(s) of the Handle.

EXHIBIT 1 TO SUBPOENA

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

RICCARDO SILVA,

Plaintiff,

vs.

JOHN DOE 1 (OWNER(S) OF WEBSITE
SOSSILVA.ORG);

JOHN DOE 2 (OWNER(S) OF REDDIT
USERNAME @SOSILVA7);

JOHN DOE 3 (OWNER(S) OF TWITTER
HANDLE @SOSSILVA7);

JOHN DOE 4;

MOBILE BILLBOARDS, INC.,

Defendants.

Case No.: 1:22-cv-24262-RKA

COMPLAINT

Plaintiff Riccardo Silva (“Silva”), hereby sues Defendants John Doe 1, John Doe 2, John Doe 3, and John Doe 4, all of whom may be a single person or may be more than one person (the “John Doe Defendant(s)”), and Mobile Billboards, Inc. (the “Mobile Billboard Defendant,” and together with the John Doe Defendant(s), the “Defendants”) and alleges:

INTRODUCTION

1. This case involves a defamatory campaign waged by the John Doe Defendant(s), with the assistance of the Mobile Billboard Defendant, against Mr. Silva, a successful businessman, a philanthropist, and a devoted husband and father, which campaign was designed to damage Mr. Silva both personally and professionally by publishing false and outrageous accusations of criminality against him.

2. The purpose of this defamatory campaign is unknown to Mr. Silva, as the John Doe Defendants have hidden their identity or identities, but the campaign was designed to cause—and has in fact caused—grave damage to Mr. Silva and his family.

3. Indeed, the Defendants sent a mobile billboard around South Miami Beach during the weekend of Miami Art Basel featuring a large photo of Mr. Silva’s face with text knowingly falsely accusing Mr. Silva of being a “predator.” Mr. Silva was in Miami at the time with his wife and children, and his seventeen-year-old son saw the billboard. This has, not surprisingly, caused devastation to Mr. Silva and his family.

4. The mobile billboard directed viewers’ attention to Twitter and Reddit pages, created by the John Doe Defendant(s), which contain additional knowingly false and defamatory statements. The John Doe Defendant(s) have also created a website that includes still more knowingly false and defamatory statements and accusations against Mr. Silva.

5. The Defendants have caused and are continuing to cause grave damage to Mr. Silva by publishing this knowingly false and defamatory material accusing Mr. Silva of criminal and deviant conduct. Mr. Silva and his family are in fear of their safety and security as a result of the Defendants’ harassment and defamatory campaign.

JURISDICTION AND VENUE

6. The Court has subject matter jurisdiction over this case because the amount of damages sought by Mr. Silva, exclusive of any attorney’s fees, costs, and expenses, exceeds \$75,000.

7. This Court has personal jurisdiction over each of the Defendants in that, at all relevant times, they (a) resided in Florida and/or (b) committed tortious acts in Florida.

8. Venue is proper in this District under 28 U.S.C. §§ 1391(b)(1) and/or 1391(b)(2)

because at least one of the Defendants reside in this District and all Defendants are residents of Florida, and/or because a substantial part of the events giving rise to the below claims occurred in this District.

THE PARTIES

9. Mr. Silva is an individual whose domicile is London, United Kingdom. Mr. Silva owns a condominium in South Miami Beach.

10. Defendant John Doe 1 is the owner of the website sossilva.org. Upon information and belief, John Doe 1 resides in the State of Florida. John Doe 1 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 1 may be one or more individuals and may be the same individual as John Doe 2, 3, or 4.

11. Defendant John Doe 2 is the owner of the Reddit username @SOSilva7. Upon information and belief, John Doe 2 resides in the State of Florida. John Doe 2 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 2 may be one or more individuals and may be the same individual as John Doe 1, 3, or 4.

12. Defendant John Doe 3 is the owner of the Twitter handle @SOSSilva7. Upon information and belief, John Doe 3 resides in the State of Florida. John Doe 3 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 3 may be one or more individuals and may be the same individual as John Doe 1, 2 or 4.

13. Defendant John Doe 4 is the individual who hired the billboard from the Mobile Billboard Defendant. Upon information and belief, John Doe 4 resides in the State of Florida. John Doe 4 committed the tortious acts described herein in the State of Florida. Notably, as the allegations *infra* show, John Doe 4 may be one or more individuals and may be the same individual as John Doe 1, 2, or 3.

14. The Mobile Billboard Defendant is a Florida corporation with principal offices in

Parrish, Florida, and is duly authorized to conduct business in the State of Florida. The Mobile Billboard Defendant offers mobile billboard services—i.e., a billboard that is placed on the rear of a motor vehicle and is observable by other motorists and pedestrians. The Mobile Billboard Defendant committed the tortious acts described herein in the State of Florida.

FACTUAL BACKGROUND

15. Mr. Silva is a husband, a father, and a renowned businessman and investor. He owns the investment company, Silva International Investments, an investment company that manages and invests in various sectors—media, technology, sports, entertainment, the arts, and real estate, to name a few. He also owns the model and talent agency, Select Model Management. In addition, he is the president and co-owner of the American professional soccer team, Miami FC, and an investor in and co-owner of AC Milan, one of the most successful soccer teams in the world.

16. Mr. Silva is a devoted philanthropist, as well. He donates substantial time and money to various causes. He has made significant donations across a range of projects in Europe, Africa, and the United States (particularly, Miami, Florida), including to Florida International University (“FIU”), Mount Sinai Medical Center, Gulliver Schools, St. Stephen’s Episcopal Day School, the Bass Museum of Art, the New World Symphony, Play for Change, The Foundation for AIDS Research, Elton John AIDS Foundation, the Novak Djokovic Foundation, Movimiento Shalom, and the Bali Street Kids Project. In recognition of Mr. Silva’s contributions to FIU and, more generally, to the city of Miami, FIU named its football and soccer stadium—Riccardo Silva Stadium—after him.

17. Mr. Silva is an upstanding, law-abiding citizen. And yet, to his shock, the Defendants have recently set forth a damaging campaign against him, designed to damage him

personally and professionally by accusing him of conduct that is categorially false. Specifically, the Defendants have falsely accused Mr. Silva of serial sexual abuse and sexual harassment, bribery, and other falsely alleged conduct. Outrageously, the Defendants have falsely compared Mr. Silva to the likes of Jeffrey Epstein.

18. Each and every one of these accusations against Mr. Silva is knowingly **false**—fabricated by the Defendants to damage and destroy Mr. Silva’s personal and professional life.

19. Mr. Silva seeks compensatory and punitive damages resulting from the harm that the Defendants’ defamatory campaign has caused him and will continue to cause him.

The Website

20. John Doe 1 created the website sossilva.org (the “Website”) on September 8, 2022.

21. The Website contains only the following accusations:

We, the survivors of sexual violence and exploitation at the hands of Riccardo Silva of Select Model Management, Silva International Investments, and other companies, have built this site to tell our story to the world. For years, Silva has used his business interests to further his own dark desires. As young women in the modeling industry, we knew that people like Riccardo Silva were out there, looking to prey on us through a combination of intimidation, bribery and emotional abuse. Silva was and is all that and more. He declared himself “untouchable” to almost all of us. He laughed when confronted with the toll his abuse had taken. He pursued us in every way and tried to destroy us when we resisted.

Like Epstein before him, he sheltered himself from any blowback through his wealth and his connections. Today we say no more. Today, we name Riccardo Silva as a serial sexual predator. We will tell our story to the world. We will not rest until the world knows who Riccardo Silva really is. Not the patron of the arts or football enthusiast or business “mogul”, but a thug. An animal. A coward. An absentee father to children he denies. Your crimes will be exposed.

We demand justice. We will not rest until you acknowledge the havoc you have brought upon the lives of so many.

22. Each and every one of these accusations made by John Doe 1 on the Website against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

The Reddit Campaign

23. John Doe 2 created the Reddit username u/SOSilva7 on September 8, 2022—the

same day the Website was created.

24. Throughout October 2022, u/SOSilva7 made the following post (the “Reddit Posts”) across several Reddit forums, including r/NYC, r/Miami, r/Florida, r/Chicago, r/Illinois, r/London, r/metoo, r/Modeling, r/sexualassault, r/TwoXChromosomes, r/abusesurvivors, r/emotionalabuse. Together, there are roughly 16.1 million members in these Reddit forums:

“TW- my story of abuse and harassment.

Hello All,

I was in the industry for years and left after the incident I’ve described below. Currently, my goal is to make aspiring models and others interested in the industry aware that this behavior occurs and is far more commonplace than most think. Everything here happened to me and unfortunately was experienced by several people.

A few years ago, I began working with Select Model Management. They had (and objectively have) a decent reputation in a industry where we all pretty much realize it is only a matter of time until we experience something creepy, unwelcomed or downright horrible.

Over the course of my work, I interacted with Riccardo Silva. He’s European (Italian I think) and married. Extremely wealthy. Multiple businesses and everything you’d expect. We were at several events together and he was always surrounding himself with my colleagues, other women from other agencies or just women in general. His vibe was . . . neutral but hostile? If that makes sense? Not a huge change from most in the industry, so I really just went about my work.

Over time, I saw him at other events more frequently, we made small talk and that was about it. One time he touched my shoulder with unusual force, but I didn’t think much of it. Then he started reaching out. This was unsettling, because I certainly didn’t expect it and while the agency had all of my info, you don’t expect someone who is essentially your boss to reach out socially.

It went from a normal, ‘hey, how are you’, and got weird immediately after. Asking me what I liked sexually. Telling me his body count and who specifically in our agency that he slept with. The ‘obvious benefits’ of me sleeping with him. My brain just blanked. I didn’t really respond initially. This had happened so often before at other places, and a quick ‘fck off!’ usually helped, but not with a person at this level and not there. I just didn’t know what to do.

He kept it up, it became almost an everyday thing. I started to respond and tell him

this made me uncomfortable. He ignored it every time. When I saw him, he'd touch me and say things under his breath. If I was talking to other men, he'd interject himself into the conversation. All the while, he kept harassing me. I mentioned it to other people and they'd shrug, or nod, share their experience and tell me to stay as far away from him as possible. It made me physically sick. I lost weight, lost interest in a lot of things. One of the worst parts was seeing him present this image to the outside world that he was a good guy, pictures with his family playing soccer, art donations, etc. Meanwhile, he tormented me at the same time.

He ramped it up and got angry. If I wouldn't sleep with him on my own, I'd 'do it for money, of course' Constant propositions, across phone, text, dm, etc. Shaming me. Saying he'd destroy me. Destroy my career. Shame my family, especially a family member that was very ill at the time. All the things I feared, however irrational, he pushed on and made me feel like shit. It came to a head when I saw him for the last time and he grabbed me so hard on my arm it left bruises. Told me he 'wasn't interested in trash like me', that he just wanted to toy with me, that I wasn't pretty enough anyway.

I quit. Soon after, a flood of people reached out to me, sharing their experiences, which were identical to my own in some cases, and far, far, far worse in others. He harassed, intimidated, and violently abused several women. He abused his position of power to abuse others.

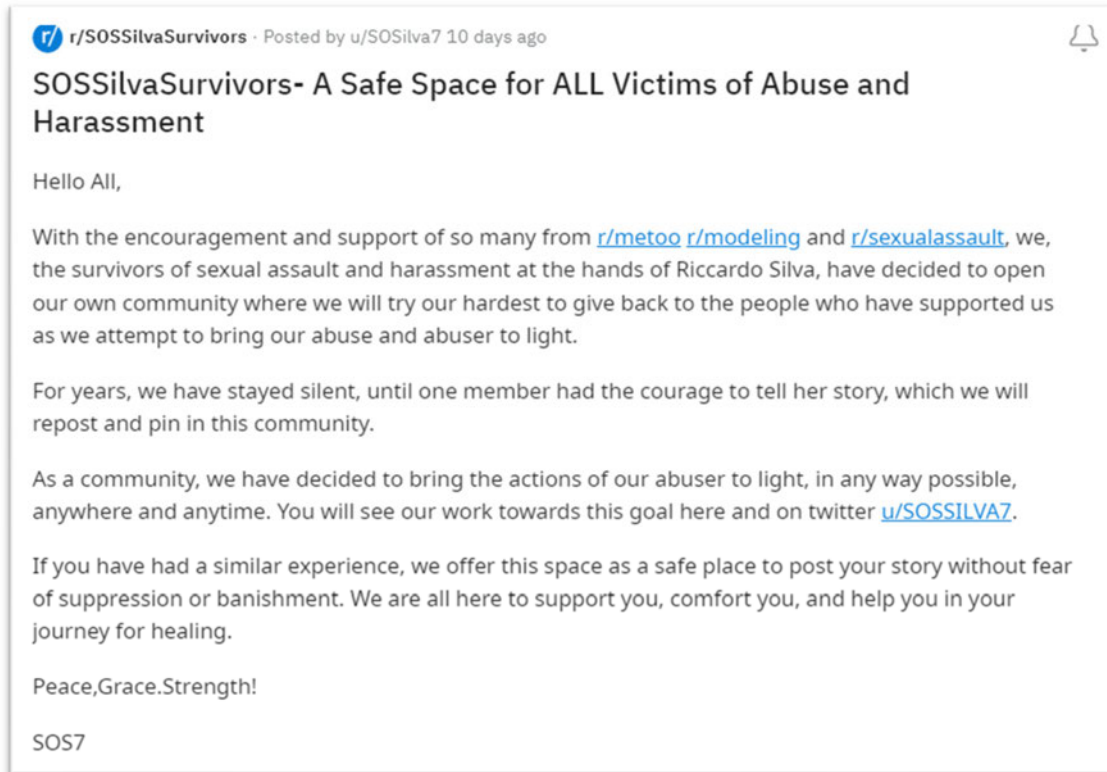
My life was pretty beautiful, and it still is, but despite therapy and wonderful family and friends, Riccardo's harassment and abuse changed who I am, and how I interact with people in every part of my life.

It made me harder, but I'm determined to use that to help others. To make people like him know that they can't treat people like that and to call that abuse out for others.

If you have experienced anything like this, I send you strength and love. Thank you all for reading."

25. In December 2022, John Doe 2 created and assigned itself as the moderator of the Reddit forum r/SOSSilvaSurvivors (the "Reddit Forum").

26. In the Reddit Forum, u/SOSilva7 made the following post:



27. Each and every one of these accusations made by John Doe 2 on Reddit against Mr. Silva is knowingly false, defamatory, and extreme and outrageous.

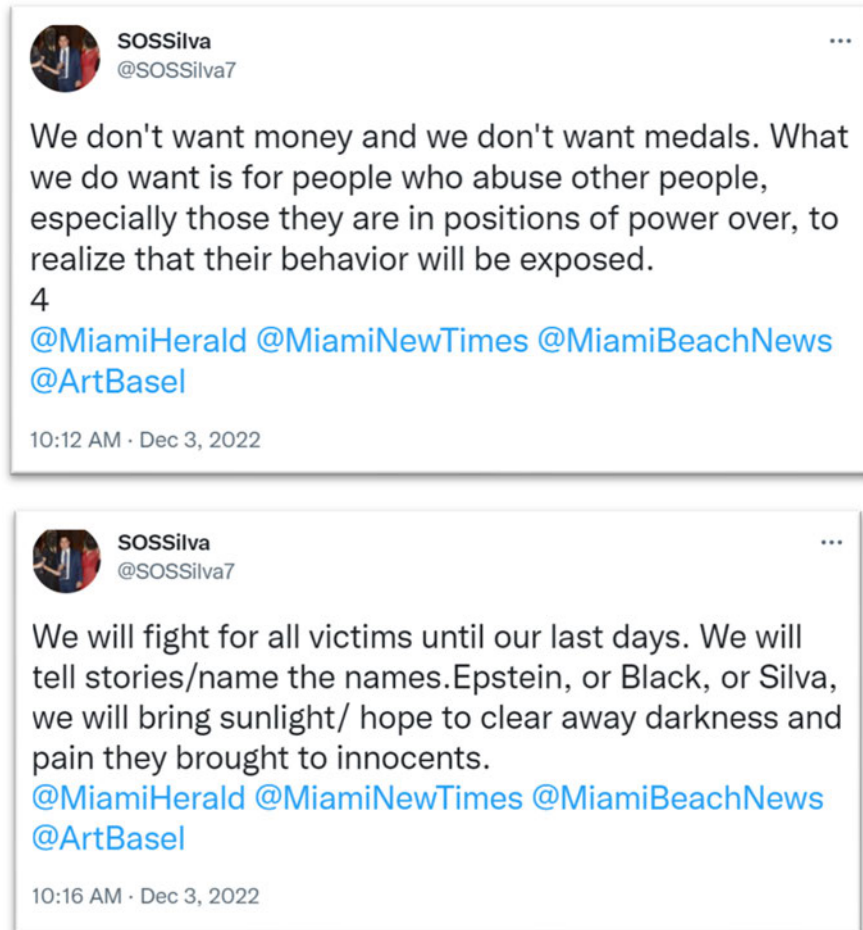
The Twitter Campaign

28. In September 2022, John Doe 3 created the Twitter account @SOSSilva7, which is based out of Miami, Florida, as the account's Twitter page shows. The biography reads: "Survivors Of Silva- The survivors of sexual violence and intimidation at the hands of Riccardo Silva of Select Model Management/Silva International Investments":



29. On December 3, 2022, John Doe 3 posted a five-tweet thread, tagging media entities, such as the Miami Herald, Miami New Times, and Miami Beach News, along with the Twitter account for the international arts festival, Art Basel, which is located in Miami, Florida. The thread contained similar defamatory and false accusations to those made by John Doe 1 on the Website and by John Doe 2 on Reddit:





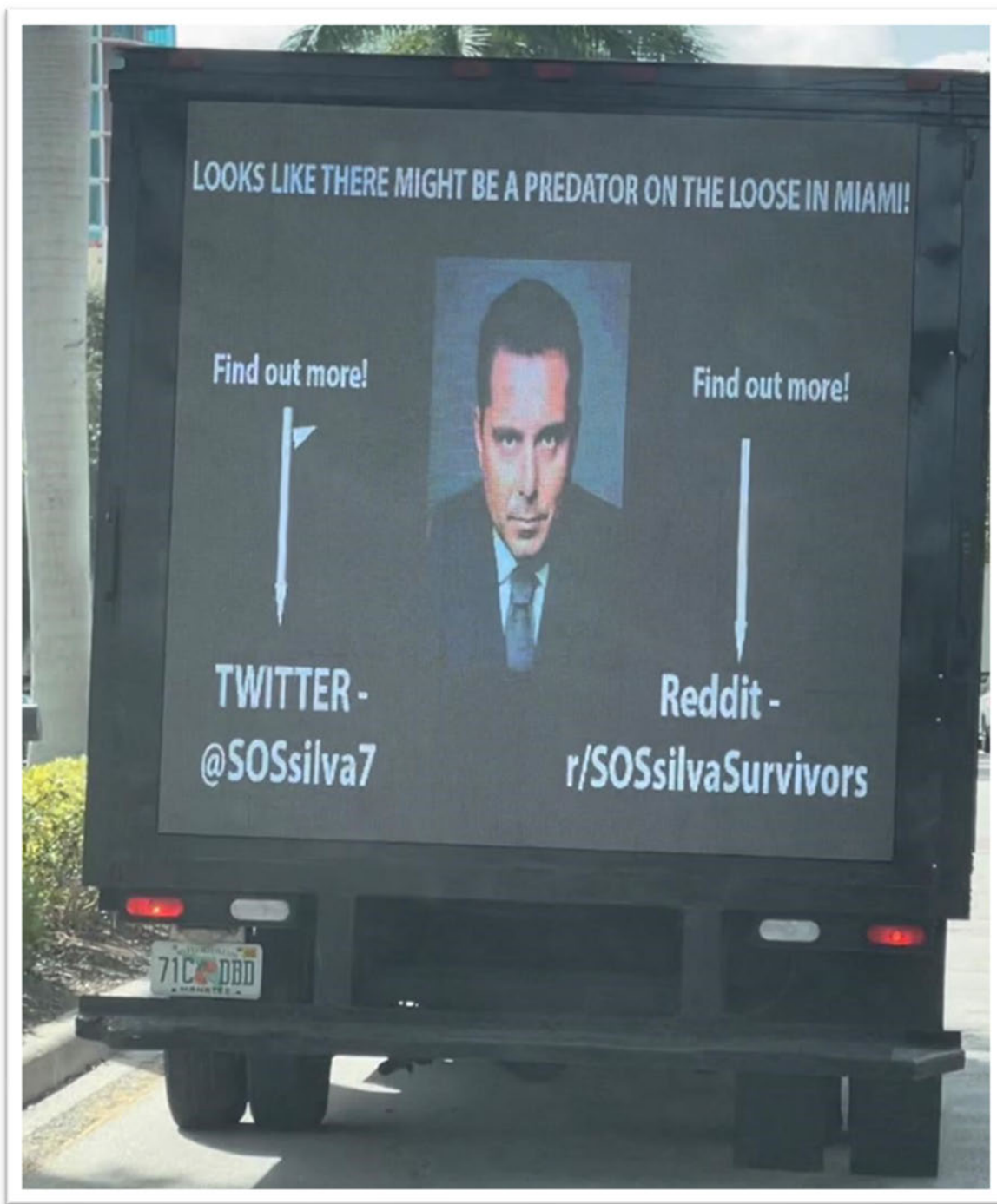
30. Like the false accusations against Mr. Silva on the Website and on Reddit, John Doe 3's accusations of grotesque conduct against Mr. Silva on Twitter are knowingly false, defamatory, and extreme and outrageous.

The Mobile Billboard Campaign

31. In or around December 2, 2022, Defendant John Doe 4 purchased a mobile billboard (the "Billboard") from the Mobile Billboard Defendant.

32. Defendant John Doe 4 hired the Mobile Billboard Defendant to drive around the location of Mr. Silva's condominium he owns in South Miami Beach on Saturday, December 3, 2022, which was the weekend of Miami Art Basel, one of the busiest weekends of the year in Miami Beach.

33. On the Billboard, the Defendants falsely accused Mr. Silva of being a “predator on the loose in Miami.” Observers of the Billboard are further directed to the above-referenced Twitter handle, @SOSSilva7, and Reddit Forum, r/SOSSilvaSurvivors:



34. The Defendants’ accusation that Mr. Silva is a “predator” is knowingly false,

defamatory, and extreme and outrageous. And, as alleged *supra*, the accusations against him on Twitter and Reddit are knowingly false, defamatory, and extreme and outrageous.

35. The Mobile Billboard Defendant knew or should have known the accusations against him were false or, at least, the Mobile Billboard Defendant recklessly disregarded the falsity of the accusations.

36. Mr. Silva's seventeen-year-old son witnessed the truck driving around the neighborhood of Mr. Silva's South Beach condo. He was devastated to see his father portrayed in this way. This has caused extreme emotional distress to Mr. Silva and his family.

37. Mr. Silva has suffered damages as a result of the Defendants' knowingly false, defamatory, extreme and outrageous, and injurious campaign against him. In particular, Mr. Silva has suffered, and will continue to suffer, monetary damages, including in connection with his reputation and business interests, and severe emotional distress. In addition, Mr. Silva fears for his and his family's safety and security, given the defamatory and harassing campaign against him.

38. All conditions precedent to the maintenance of this action have occurred, been performed, complied with, or waived.

COUNT I: DEFAMATION (LIBEL)
(Against All Defendants)

39. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 38 above.

40. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

41. The Defendants knew that said statements of and concerning Mr. Silva were false, recklessly disregarded the falsity of said statements, and/or were negligent as to the falsity of said statements.

42. As a result of the Defendants' wide publication of the above false statements, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT II: DEFAMATION (LIBEL) PER SE
(Against All Defendants)

43. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 42 above.

44. The Defendants published to millions of third parties knowingly false, defamatory statements of and concerning Mr. Silva on the Website, Twitter, Reddit, and the Billboard, as outlined *supra*.

45. Those false, defamatory statements charged that Mr. Silva committed infamous crimes and/or felonies, including without limitation, sex crimes and bribery. In addition, the false, defamatory statements subject Mr. Silva to hatred, distrust, ridicule, contempt, and/or disgrace. Finally, the false, defamatory statements harm Mr. Silva in his many business ventures articulated *supra*.

46. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT III: DEFAMATION (LIBEL) BY IMPLICATION
(Against All Defendants)

47. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 46 above.

48. Mr. Silva asserts Count III in the alternative to Counts I and II.

49. To the extent that one or more of the Defendants' statements on the Website, Twitter, Reddit, and/or the Billboard, which were published to millions of people, are determined to be true, all resulting suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct are false.

50. The false suggestions, impressions, and/or implications that Mr. Silva engaged in any criminal or deviant misconduct have caused serious harm to Mr. Silva.

51. Accordingly, Mr. Silva has suffered damages, including without limitation, monetarily, to his reputation, and to his business interests.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT IV: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Against All Defendants)

52. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 51 above.

53. The Defendants engaged in extreme and outrageous conduct, including without limitation, by setting forth an internet and billboard campaign to falsely accuse Mr. Silva of heinous, criminal conduct—being compared to the likes of Jeffrey Epstein. Engaging in a campaign to publish knowingly false and defamatory accusations of the most grotesque order goes beyond all possible bounds of decency and such ruthless attacks are intolerable in a civilized society.

54. The Defendants engaged in such extreme and outrageous conduct with the intent to ruin Mr. Silva's personal and professional life, and thus to cause him severe emotional distress.

55. At the very least, the Defendants' extreme and outrageous conduct was done with reckless disregard to the probability of causing Mr. Silva severe emotional distress.

56. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' extreme and outrageous conduct. In addition, the mobile billboard was seen by Mr. Silva's seventeen-year-old son, a likely, and indeed intended, consequence of having the mobile billboard driven outside of Mr. Silva's condominium. Mr. Silva's son was extremely distraught by what he saw, which has caused Mr. Silva severe emotional distress at the damage this defamatory publication has inflicted on his entire family.

WHEREFORE, Mr. Silva demands judgment against the Defendants for money damages, pre- and post-judgment interest, and such other relief as the Court deems just and proper. In addition, Mr. Silva seeks punitive damages pursuant to Fla. Stat. § 768.72.

COUNT V: INJUNCTION – STALKING, § 784.0485(1), FLA. STAT.
(Against All Defendants)

57. Mr. Silva incorporates as if fully set forth herein paragraphs 1 through 56 above.

58. The Defendants have willfully, maliciously, and repeatedly harassed Mr. Silva through their harassment and defamatory campaign against him, both online and in person.

59. Mr. Silva has suffered severe emotional distress, and will continue to suffer severe emotional distress, as a result of the Defendants' campaign. In addition, Mr. Silva and his family have suffered from grave concerns to their safety and security as a result of the Defendants' harassment and defamatory campaign.

60. The Defendants' harassment and defamatory campaign serves no legitimate purpose, as it is based on knowing falsehoods.

61. Mr. Silva has a clear legal right to not be harassed and defamed in violation of the law.

62. There is no adequate remedy at law for the further violation of this right, necessitating this Court's intervention to enjoin the Defendants from continuing their campaign.

63. Should the Court fail to permanently enjoin the Defendants from continuing their campaign, Mr. Silva will continue to suffer severe emotional distress and he and his family will continue to be in grave fear for their safety and security.

WHEREFORE, Mr. Silva demands an order permanently enjoining the Defendants from continuing their harassment and defamatory campaign, and such other relief as the Court deems just and proper.

Dated: January 4, 2023

Respectfully submitted,

By: /s/ Joshua M. Mandel

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Counsel for Plaintiff Riccardo Silva

EXHIBIT 7

From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Tuesday, April 4, 2023 8:53 AM
To: Adam Stolz
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)
Attachments: 2023-04-04 - Silva - Letter to counsel re amended civil subpoena - Southern District of Florida.PDF

EXTERNAL:

Adam: I've heard back from Reddit and this email confirms we're good on service and that Reddit will attempt to notify the user today via email regarding this amended subpoena, as they previously did with the original subpoena. In the meantime, our objections are attached, and if you're able to share information about your client's efforts to obtain this information from the newly identified defendants, please let me know. And just FYI, I'll be out all next week. Thanks, John

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From: Roche, John K. (WDC)
Sent: Monday, April 03, 2023 11:44 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Thanks, Adam. I've sent this on to Reddit and will let you know if there are any issues regarding service or notice. Best, John

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From: Adam Stolz <astolz@lashgoldberg.com>
Sent: Friday, March 31, 2023 8:04 PM
To: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John,

Thanks again for speaking with me this morning. As discussed, attached please find a revised subpoena for your client, Reddit, Inc. Please kindly confirm that you have received it and that you are authorized and agree to accept service on behalf of Reddit, Inc. regarding the attached subpoena. In any event, we also arranged for hard-copy service to Reddit as a courtesy.

As discussed, I will follow up with more detail on my client's the exhaustive yet unsuccessful attempts to obtain the requested information from other sources, particularly the individuals referenced in the recent filing whom you inquired about. In the meantime, per our conversation, please provide written confirmation that Reddit has provided the user/subscriber of the subject Handle with notice of the initial subpoena and will do so for the attached subpoena as well.

Thanks again for your time today. Happy to set up another call if you have any questions or would like to further discuss.

My best,

Adam Stolz

Attorney

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Friday, March 31, 2023 11:13 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: I can be reached on my office line below. Thanks, John

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From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Friday, March 31, 2023 11:11 AM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John: Thanks for promptly getting back to me. I will call you around 1:00 PM. Let me know the best contact number to reach you. Talk soon.

Adam Stolz

Attorney

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Friday, March 31, 2023 10:29 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: I'm available today until 1:30 and then again from 2:30-3:30 if you have any time in those windows. Thanks, John

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From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Thursday, March 30, 2023 8:19 PM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Hey John,

Thanks for your below email. Unfortunately, we still have been unable to obtain the necessary information regarding the defendant's identify from another source and are constrained to renew our request that Reddit provide it. Please let me know if you're available this evening or tomorrow for a quick call to discuss where the parties stand and potential next steps.

Thank you and regards,

Adam Stolz

Attorney

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Monday, March 6, 2023 1:11 PM
To: Adam Stolz <astolz@lashgoldberg.com>
Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: Thanks for your email, but Reddit must decline to waive its right under Rule 45(c) to have any subpoena list a place of compliance within 100 miles of its San Francisco headquarters. See *Ortiz v. Harrell*, No. 21-14219-CIV, 2022 WL 457856, at *4 (S.D. Fla. Feb. 14, 2022) (“For non-party corporations, courts find that ‘the place of compliance’ is where a corporation is headquartered.”).

Reddit also understands from your client’s latest filing (Dkt. No. 23, ¶¶ 7-8) that he’s identified at least two individuals and a company as additional defendants allegedly involved in the conduct at issue, so we assume you will direct any discovery about the Reddit account to those parties before seeking discovery from Reddit. See *Rich v. Butowsky*, No. 20-mc-80081-DMR, 2020 WL 5910069, at *4 (N.D. Cal. Oct. 6, 2020) (a party seeking to establish that “non-party disclosure is . . . appropriate in the exceptional case where the compelling need for the discovery sought outweighs the First Amendment rights of the anonymous speaker” must show, *inter alia*, that the information “is unavailable from any other source.”); *Realtime Data, LLC v. MetroPCS Texas, LLC*, No. C 12–80130, 2012 WL 3727304, at *2 (N.D. Cal. Aug. 28, 2012) (“[Plaintiff] has not demonstrated exactly what additional documents it requires beyond those it has secured or should have secured from [Defendant].”).

Best, John

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From: Adam Stolz <astolz@lashgoldberg.com>
Sent: Wednesday, March 01, 2023 4:26 PM
To: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>
Subject: FW: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John:

Thank you very much for your email on Monday explaining Reddit’s updated position. As an initial matter, the court has already re-opened the case and lifted the stay, which I trust takes care of your concerns to that end.

Next, to clarify the assumption in your email about Mobile Billboards, it is unfortunately not the case that Mobile Billboards has been able to provide any further discovery, let alone any that would be germane to the limited information we respectfully seek from Reddit. The limited discovery requested from Reddit remains as necessary as ever in this case so that the proper defendant(s) may be identified, served, and given an opportunity to participate in the litigation.

Finally, in response to the remainder of your email, please kindly confirm that Reddit is agreeable to the following approach to resolving its other objections and satisfying the subpoena as a practical matter:

1. Plaintiff will issue an amended subpoena duces tecum that (a) identifies the subpoena's place of compliance as an email production to Adam Stolz at astolz@lashgoldberg.com; (b) narrows the scope of documents and information requested to "non-content basic subscriber information as enumerated by 18 U.S.C. § 2703(c)(2) for the owner(s) of the Handle"; and (c) omits any request for deposition testimony at the present time (although, as you noted, Plaintiff would reserve the right to issue a subsequent subpoena to Reddit for deposition if Plaintiff later determines it's necessary, for which Reddit would reserve the right to object).
2. Plaintiff will file a motion with the court that is currently overseeing the litigation in Case No. 1:22-cv-24262 (S.D. Fla.) for an order finding that Plaintiff's proposed discovery sought from Reddit satisfies the First Amendment standards enumerated in Reddit's attached objection letter dated February 15, 2023 (the "Motion"); in turn, Reddit consents to the jurisdiction and venue of the court currently overseeing the litigation in Case No. 1:22-cv-24262 (S.D. Fla.) for the purpose of the aforementioned Motion regarding the First Amendment standards.
 - a. Plaintiff agrees to gratuitously provide Reddit with a courtesy copy of the Motion for Reddit to use in attempting to satisfy any "user-notice requirement."
3. If the court issues an order finding that Plaintiff's proposed discovery sought from Reddit satisfies the First Amendment standards enumerated in Reddit's attached objection letter, Reddit agrees to produce the basic subscriber information (or "BSI") for the Handle within fourteen (14) days of the court's order.

If the above proposal is acceptable, we will begin preparing an amended subpoena and the Motion. I would be happy to send you a draft of the motion before filing it to discuss Reddit's position and try to remain on the same page as much as possible. Once again, I very much appreciate your cooperation and candor in this process. This is an extremely serious and important case for my client and the information we are seeking is truly necessary for the just and fair administration of the litigation.

Best regards,

Adam Stolz

Attorney

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Monday, February 27, 2023 11:16 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: It was nice speaking with you too and thanks for rescheduling the deposition to a future date if you later determine it's still necessary.

I checked the docket this morning and noticed that over the weekend the Court closed and stayed this case based on the representations in Mobile Billboards' latest filing seeking an extension to April 14 for its responsive pleadings. I trust those

representations mean Mobile Billboards has found that it can actually provide the discovery your client seeks regarding the identity of its customer and that discovery from Reddit may prove unnecessary.

If that's not the case, Reddit must stand on its objections to the subpoena, particularly now that the case is stayed. If you wish to proceed with discovery from Reddit, I think as a practical matter that means the following:

1. Plaintiff will need to get the S.D. Fla. Court to lift the stay, at least for purposes of seeking discovery from service providers who Plaintiff believes may have non-content identifying information for the Doe defendant(s).
2. As for Reddit's objections, Plaintiff will need a court to find that any proposed discovery from Reddit satisfies the First Amendment standards enumerated in Reddit's February 15th objections. It's possible that any motion you may file to lift the stay in S.D. Fla. could include a request that the Court make the First Amendment findings in authorizing discovery, though Reddit reserves the right to insist that any of its objections be resolved in N.D. Cal. under FRCP 45(d)(2)(B)(i) or 45(d)(3)(A) if it perceives any deficiencies resulting from the proceedings in S.D. Fla. or in any resulting subpoena. In that regard, if Plaintiff asks the S.D. Fla. Court to make the First Amendment findings in lifting the stay to permit discovery from service providers, please provide me with a courtesy copy of any papers you file so I can ask Reddit if it's able to attempt to help satisfy the user-notice requirement. *See In re DMCA § 512(h) Subpoena to Twitter, Inc.*, No. 20-mc-80214-VC, 2022 WL 2205476, at *3 (N.D. Cal. June 21, 2022) (in resolving a discovery request that would reveal the identity of an anonymous speaker, a court should, *inter alia*, "notify the speaker and provide them with an opportunity to (anonymously) defend their anonymity").
3. If the S.D. Fla. Court lifts the stay and permits discovery to proceed, Plaintiff will need to issue an amended subpoena duces tecum that resolves Reddit's objection as to the place of compliance being in Tallahassee and its objection as to the vague scope of the request.
 - o As a practical matter, those objections can be resolved by identifying (A) the subpoena's place of compliance as Reddit's headquarters at "Reddit, Inc. 1455 Market Street, Suite 1600, San Francisco, CA 94103 or alternatively via email production to Adam Stolz at astolz@lashgoldberg.com"; and (B) the scope of documents requested as "Non-content basic subscriber information as enumerated by 18 U.S.C. § 2703(c)(2) for the owner(s) of the Handle."
4. Reddit's objection as to deposition testimony can be resolved by simply omitting any request for deposition testimony in an amended subpoena, with the understanding that you reserve the right to issue a deposition subpoena later if your client determines it's necessary and Reddit reserves the right to object to any later deposition subpoena.

Best, John

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From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Thursday, February 23, 2023 2:10 PM

To: Roche, John K. (WDC) <JRocher@perkinscoie.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John:

It was nice speaking with you last week. As discussed, please let me know whether Reddit is willing to reconsider its position and provide us with the BSI for the Handle in full satisfaction of the attached Subpoena. Once again, we have no

other way of obtaining the information and require it for the limited purposes of service and identification so the proper individual(s) can appear before the court and participate in the litigation.

In the meantime, given that the Subpoena sets the deposition duces tecum for February 27, 2023, you may consider it rescheduled until we agree on a future date and time if one is still necessary in light of our recent conversation. To clarify, while we remain very hopeful that we can mutually resolve the matter, we nevertheless reserve the right to take the deposition duces tecum at a date and time in the future.

I look forward to hearing back from you soon.

Thank you and regards,

Adam Stolz

Attorney

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Friday, February 17, 2023 11:31 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: Sure thing – does 2:00 work for you? If so, the best way to reach me today is on my cell (703-220-7762). Thanks,
John

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From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Friday, February 17, 2023 11:09 AM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Hey John,

Nice to meet you. We are in receipt of your letter dated Feb. 15, 2023. We appreciate you taking the time to promptly provide Reddit's views on the subpoena in the above-referenced matter. Are you available today for a short call to discuss? If so, please let me know a convenient time and contact number.

Thank you,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com



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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Wednesday, February 15, 2023 9:43 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: We represent Reddit, Inc. Please see attached regarding the subpoena Reddit received in the above-referenced matter and please contact me if you'd like to discuss. Best, John

John Roche | Perkins Coie LLP

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ATTACHMENT TO EMAIL



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April 4, 2023

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VIA EMAIL

Adam J. Stolz
Lash Goldberg
Miami Tower
100 Southeast 2nd Street, Suite 1200
Miami, FL 33131
305-347-4040
astolz@lashgoldberg.com

Re: Amended Subpoena to Reddit, Inc.
***Silva v. Mobile Billboard, Inc., et al.*, No. 1:22-cv-24262 (S.D. Fla.)**

Dear Adam:

We represent Reddit, Inc. (“Reddit”) and write regarding the amended subpoena issued to Reddit in the above-referenced matter. Reddit objects to the subpoena in its entirety for the reasons below.

First, the requests for “communications” and “any other information that is related or could be used to identify the owner(s) of the” subject account are vague, overbroad, and violate the federal Stored Communications Act (“SCA”), 18 U.S.C. § 2702, to the extent they seek the contents of any communications. *See Suzlon Energy Ltd. v. Microsoft Corp.*, 671 F.3d 726, 730 (9th Cir. 2011) (litigants may not obtain the content of communications with a civil discovery demand because it would “invade[] the specific interests that the [SCA] seeks to protect.”); *Classic Soft Trim, Inc. v. Albert*, No. 618CV1237ORL78GJK, 2020 WL 6749836, at *3 (M.D. Fla. Sept. 21, 2020) (“a provider may not disclose the content of electronic communications pursuant to a civil subpoena”). The most Reddit could produce in response to the amended subpoena is basic subscriber information (“BSI”) as enumerated by the SCA, 18 U.S.C. § 2703(c)(2).

Second, the amended subpoena implicates the First Amendment right to anonymous speech and is therefore premature to the extent it seeks BSI for purposes of identifying the speaker. *See In re DMCA § 512(h) Subpoena to Twitter, Inc.*, No. 20-mc-80214-VC, 2022 WL 2205476, at *2 (N.D. Cal. June 21, 2022) (“the ability to speak anonymously on the Internet promotes the robust exchange of ideas and allows individuals to express themselves freely without ‘fear of economic or official retaliation ... [or] concern about social ostracism.’”) (quoting *In re Anonymous Online Speakers*, 661 F.3d 1168, 1173 (9th Cir. 2011)). “[W]hen adjudicating a subpoena or other

Page 2

request for compelled disclosure that would reveal the identity of an anonymous speaker, a court should (1) notify the speaker and provide them with an opportunity to (anonymously) defend their anonymity; (2) require the party seeking disclosure to make a prima facie showing on the merits of their claim; and (3) balance the equities, weighing the potential harm to the party seeking disclosure against the speaker's interest in anonymity, in light of the strength of the underlying claim." *In re DMCA § 512(h) Subpoena to Twitter, Inc.*, 2022 WL 2205476, at *3. An additional relevant factor is whether the identifying information "is unavailable from any other source." *Rich v. Butowsky*, No. 20-mc-80081-DMR, 2020 WL 5910069, at *4 (N.D. Cal. Oct. 6, 2020). We understand your client has identified at least two individuals and a company that are allegedly "involved in—and believed to be spearheading—the defamation campaign against" him, and that he intends to name them as defendants. *See* Dkt. No. 23, ¶¶ 7-8. Plaintiff may therefore be able to obtain identifying information about the person behind this alleged scheme from those new defendants and plaintiff should exhaust discovery from them before seeking discovery from Reddit. *See Realtime Data, LLC v. MetroPCS Texas, LLC*, No. C 12–80130, 2012 WL 3727304, at *2 (N.D. Cal. Aug. 28, 2012) ("[Plaintiff] has not demonstrated exactly what additional documents it requires beyond those it has secured or should have secured from [Defendant].").

Please contact me if you have any questions or would like to discuss this matter. In the meantime, Reddit does not waive and expressly reserves all available rights and objections.

Sincerely,



John Roche

EXHIBIT 8



April 7, 2023

Via Email

John K. Roche
Perkins Coie LLP
700 13th St. NW, Suite 800
Washington, D.C. 20005-3960
JRoche@perkinscoie.com

Re: Amended Subpoena to Reddit, Inc.
***Silva v. Mobile Billboard, Inc. et al.*, S.D. Fla. Case No. 1:22-cv-24262**

Dear John:

As you are aware, this firm represents Riccardo Silva in a limited capacity that includes the subpoena(s) to Reddit, Inc. (“Reddit”) in connection with the above-styled action in the Southern District of Florida. This correspondence is submitted in response to your letter dated April 4, 2023, in which you identified and asserted several objections to the amended subpoena that Mr. Silva issued to Reddit on Friday, March 31, 2023 (the “Subpoena”). We will address each of Reddit’s objections in turn in the order presented in your letter.

First, the Subpoena is not intended to seek the “contents of any communications.” To clarify, Mr. Silva is merely seeking the basic subscriber information for the Handle as described in the Subpoena. Second, the First Amendment does not protect the anonymous Handle owner’s blatantly defamatory speech and we therefore maintain that Reddit is obligated to produce the requested information pursuant to the Federal Rules of Civil Procedure. *See Smythe v. Does*, Case No. 15-mc-80292-LB, 2016 WL 54125, at *2 (N.D. Cal. Jan. 5, 2016) (“Where anonymous speech is alleged to be unlawful, the speaker’s right to remain anonymous may give way to a plaintiff’s need to discover the speaker’s identity in order to pursue its claim.”) (citation omitted). Nevertheless, the First Amendment considerations identified in your letter are satisfied under the unique facts and circumstances of this case. As such, Mr. Silva intends to file a motion to compel on such grounds to the extent Reddit refuses to produce the requested information.

Third, and finally, it is necessary to clarify the record regarding Reddit’s assertion that Mr. Silva has not demonstrated that the requested information “is unavailable from any other source” because of a suggestion in a prior filing (Dkt. No. 23, ¶¶ 7-8) that Mr. Silva was hoping to identify two individuals and a company allegedly “involved in—and believed to be spearheading—the defamation campaign against” him, and potentially name them as defendants in an amended pleading. As I mentioned in our last couple of conversations, those prospects unfortunately turned out to be a case of mistaken identity and the efforts did not pan out as Mr. Silva had hoped when the filing was submitted. To provide additional context, I spoke with Mr. Silva’s primary counsel who submitted the filing (Dkt. No. 23), and they authorized me to relay the following update to Reddit:

We believed we had potentially identified two people thought to be involved in the defamation scheme based on an identification of photographs by the Mobile Billboard defendant. The Mobile Billboard defendant indicated that he believed certain photographs provided to him were of the man who hired him to drive the mobile billboard with the defamatory content. The second person referenced in our filing was the wife of that man. We thought she may have been involved based on her connection to a business that competed with one of Mr. Silva's businesses—hence the additional reference to a “company” we thought was potentially involved. Since then, and based on information we have since received, we believe that the mobile billboard defendant was mistaken in his identification of the man and thus, we do not currently believe either he, his wife, or the company are in fact involved.

Moreover, as previously explained, the prospective information merely concerned the identity of the “John Doe” defendant(s) who hired the mobile billboard company and would not have weighed on the identity of the individual(s) behind the Reddit Handle in any event. Overall, despite the profound efforts and expense to identify the anonymous defendant(s) responsible for the carefully crafted campaign to defame Mr. Silva, we have not received any information from any source that could reasonably shed any light on the identity of the Handle owner described in the Subpoena. Thus, Mr. Silva is unable to obtain the requested information from another source and has in fact exhausted attempts to obtain the discovery elsewhere before serving the Subpoena on Reddit. I appreciate your willingness to consider the additional information and trust that the additional context is sufficient for Reddit to revise and limit its objections solely to the core First Amendment considerations enumerated in your letter.

Once again, I appreciate your respectful cooperation in this matter. Please let me know if you have any questions or would like to further discuss anything at this time.

Very truly yours,

LASH GOLDBERG LLP

/s/ Adam J. Stolz
Adam J. Stolz

EXHIBIT 9

From: Adam Stolz <astolz@lashgoldberg.com>
Sent: Tuesday, April 11, 2023 6:21 AM
To: Roche, John K. (WDC)
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John,

Thank you very much for clarifying the revised scope of Reddit's objection. Based on that representation, and our many cooperative exchanges through the meet-and-confer process, it appears we are unable to mutually resolve Reddit's First Amendment objection and, as such, further conferral would be futile. Accordingly, Mr. Silva respectfully plans to file a motion to compel addressing Reddit's First Amendment objection.

Please continue to feel free to let me know if you have any questions or would like to further discuss.

Thank you,

Adam Stolz

Attorney
T (305) 347-4040
E astolz@lashgoldberg.com



Miami Tower
100 SE 2nd St., Ste. 1200
Miami, Florida 33131
www.lashgoldberg.com

From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Monday, April 10, 2023 11:51 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Subject: Re: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: Based on our latest conversation and your most recent letter, I can confirm that from Reddit's perspective any motion to compel that your client may file in NDCA would be limited to having the Court resolve the First Amendment issue. Best, John

John K. Roche
202-434-1627
jroche@perkinscoie.com

On Apr 7, 2023, at 7:31 PM, Roche, John K. (WDC) <JRoche@perkinscoie.com> wrote:

Thanks, Adam. I'll pass this on to my client and be back in touch when I've heard from them. Best, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800
Washington, DC 20005-3960
D. +1.202.434.1627
F. +1.202.654.6211
E. JRoche@perkinscoie.com
<image001.jpg>
<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>
Sent: Friday, April 07, 2023 12:57 PM
To: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John:

Thank you for your letter and for speaking with me this morning. Please see the attached correspondence from Mr. Silva in response.

Best regards,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image003.png>

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Miami, Florida 33131

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Tuesday, April 4, 2023 11:53 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: I've heard back from Reddit and this email confirms we're good on service and that Reddit will attempt to notify the user today via email regarding this amended subpoena, as they previously did with the original subpoena. In the meantime, our objections are attached, and if you're able to share information about your client's efforts to obtain this information from the newly identified defendants, please let me know. And just FYI, I'll be out all next week. Thanks, John

John Roche | Perkins Coie LLP

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E. JRoche@perkinscoie.com
<image001.jpg>
<image002.png>

From: Roche, John K. (WDC)
Sent: Monday, April 03, 2023 11:44 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Thanks, Adam. I've sent this on to Reddit and will let you know if there are any issues regarding service or notice. Best, John

John Roche | Perkins Coie LLP

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Washington, DC 20005-3960

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E. JRoch@perkinscoie.com

<image001.jpg>

<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Friday, March 31, 2023 8:04 PM

To: Roche, John K. (WDC) <JRoch@perkinscoie.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John,

Thanks again for speaking with me this morning. As discussed, attached please find a revised subpoena for your client, Reddit, Inc. Please kindly confirm that you have received it and that you are authorized and agree to accept service on behalf of Reddit, Inc. regarding the attached subpoena. In any event, we also arranged for hard-copy service to Reddit as a courtesy.

As discussed, I will follow up with more detail on my client's the exhaustive yet unsuccessful attempts to obtain the requested information from other sources, particularly the individuals referenced in the recent filing whom you inquired about. In the meantime, per our conversation, please provide written confirmation that Reddit has provided the user/subscriber of the subject Handle with notice of the initial subpoena and will do so for the attached subpoena as well.

Thanks again for your time today. Happy to set up another call if you have any questions or would like to further discuss.

My best,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image003.png>

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Miami, Florida 33131

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From: Roche, John K. (WDC) <JRoch@perkinscoie.com>

Sent: Friday, March 31, 2023 11:13 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: I can be reached on my office line below. Thanks, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800

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D. +1.202.434.1627

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E. JRoche@perkinscoie.com

<image001.jpg>

<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Friday, March 31, 2023 11:11 AM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John: Thanks for promptly getting back to me. I will call you around 1:00 PM. Let me know the best contact number to reach you. Talk soon.

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image003.png>

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100 SE 2nd St., Ste. 1200

Miami, Florida 33131

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Friday, March 31, 2023 10:29 AM

To: Adam Stolz <astolz@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: I'm available today until 1:30 and then again from 2:30-3:30 if you have any time in those windows. Thanks, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800

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E. JRoche@perkinscoie.com

<image001.jpg>

<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Thursday, March 30, 2023 8:19 PM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Hey John,

Thanks for your below email. Unfortunately, we still have been unable to obtain the necessary information regarding the defendant's identify from another source and are constrained to renew our request that Reddit provide it. Please let me know if you're available this evening or tomorrow for a quick call to discuss where the parties stand and potential next steps.

Thank you and regards,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image003.png>

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100 SE 2nd St., Ste. 1200

Miami, Florida 33131

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Sent: Monday, March 6, 2023 1:11 PM

To: Adam Stolz <astolz@lashgoldberg.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez

<chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: Thanks for your email, but Reddit must decline to waive its right under Rule 45(c) to have any subpoena list a place of compliance within 100 miles of its San Francisco headquarters. *See Ortiz v. Harrell*, No. 21-14219-CIV, 2022 WL 457856, at *4 (S.D. Fla. Feb. 14, 2022) ("For non-party corporations, courts find that 'the place of compliance' is where a corporation is headquartered.").

Reddit also understands from your client's latest filing (Dkt. No. 23, ¶¶ 7-8) that he's identified at least two individuals and a company as additional defendants allegedly involved in the conduct at issue, so we assume you will direct any discovery about the Reddit account to those parties before seeking discovery from Reddit. *See Rich v. Butowsky*, No. 20-mc-80081-DMR, 2020 WL 5910069, at *4 (N.D. Cal. Oct. 6, 2020) (a party seeking to establish that "non-party disclosure is . . . appropriate in the exceptional case where the compelling need for the discovery sought outweighs the First Amendment rights of the anonymous speaker" must show, *inter alia*, that the information "is unavailable from any other source."); *Realtime Data, LLC v. MetroPCS Texas, LLC*, No. C 12-80130, 2012 WL 3727304, at *2 (N.D. Cal. Aug. 28, 2012) ("[Plaintiff] has not demonstrated exactly what additional documents it requires beyond those it has secured or should have secured from [Defendant].").

Best, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800

Washington, DC 20005-3960

D. +1.202.434.1627

F. +1.202.654.6211

E. JRoche@perkinscoie.com

<image001.jpg>

<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Wednesday, March 01, 2023 4:26 PM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: FW: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John:

Thank you very much for your email on Monday explaining Reddit's updated position. As an initial matter, the court has already re-opened the case and lifted the stay, which I trust takes care of your concerns to that end.

Next, to clarify the assumption in your email about Mobile Billboards, it is unfortunately not the case that Mobile Billboards has been able to provide any further discovery, let alone any that would be germane to the limited information we respectfully seek from Reddit. The limited discovery requested from Reddit remains as necessary as ever in this case so that the proper defendant(s) may be identified, served, and given an opportunity to participate in the litigation.

Finally, in response to the remainder of your email, please kindly confirm that Reddit is agreeable to the following approach to resolving its other objections and satisfying the subpoena as a practical matter:

1. Plaintiff will issue an amended subpoena duces tecum that (a) identifies the subpoena's place of compliance as an email production to Adam Stolz at astolz@lashgoldberg.com; (b) narrows the scope of documents and information requested to "non-content basic subscriber information as enumerated by 18 U.S.C. § 2703(c)(2) for the owner(s) of the Handle"; and (c) omits any request for deposition testimony at the present time (although, as you noted, Plaintiff would reserve the right to issue a subsequent subpoena to Reddit for deposition if Plaintiff later determines it's necessary, for which Reddit would reserve the right to object).
2. Plaintiff will file a motion with the court that is currently overseeing the litigation in Case No. 1:22-cv-24262 (S.D. Fla.) for an order finding that Plaintiff's proposed discovery sought from Reddit satisfies the First Amendment standards enumerated in Reddit's attached objection letter dated February 15, 2023 (the "Motion"); in turn, Reddit consents to the jurisdiction and venue of the court currently overseeing the litigation in Case No. 1:22-cv-24262 (S.D. Fla.) for the purpose of the aforementioned Motion regarding the First Amendment standards.
 1. Plaintiff agrees to gratuitously provide Reddit with a courtesy copy of the Motion for Reddit to use in attempting to satisfy any "user-notice requirement."
3. If the court issues an order finding that Plaintiff's proposed discovery sought from Reddit satisfies the First Amendment standards enumerated in Reddit's attached objection letter, Reddit agrees to produce the basic subscriber information (or "BSI") for the Handle within fourteen (14) days of the court's order.

If the above proposal is acceptable, we will begin preparing an amended subpoena and the Motion. I would be happy to send you a draft of the motion before filing it to discuss Reddit's position and try to remain on the same page as much as possible. Once again, I very much appreciate your cooperation and candor in this process. This is an extremely serious and important case for my client and the information we are seeking is truly necessary for the just and fair administration of the litigation.

Best regards,

Adam Stolz

Attorney
T (305) 347-4040
E astolz@lashgoldberg.com

<image003.png>

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100 SE 2nd St., Ste. 1200
Miami, Florida 33131
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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Monday, February 27, 2023 11:16 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: It was nice speaking with you too and thanks for rescheduling the deposition to a future date if you later determine it's still necessary.

I checked the docket this morning and noticed that over the weekend the Court closed and stayed this case based on the representations in Mobile Billboards' latest filing seeking an extension to April 14 for its responsive pleadings. I trust those representations mean Mobile Billboards has found that it can actually provide the discovery your client seeks regarding the identity of its customer and that discovery from Reddit may prove unnecessary.

If that's not the case, Reddit must stand on its objections to the subpoena, particularly now that the case is stayed. If you wish to proceed with discovery from Reddit, I think as a practical matter that means the following:

1. Plaintiff will need to get the S.D. Fla. Court to lift the stay, at least for purposes of seeking discovery from service providers who Plaintiff believes may have non-content identifying information for the Doe defendant(s).
2. As for Reddit's objections, Plaintiff will need a court to find that any proposed discovery from Reddit satisfies the First Amendment standards enumerated in Reddit's February 15th objections. It's possible that any motion you may file to lift the stay in S.D. Fla. could include a request that the Court make the First Amendment findings in authorizing discovery, though Reddit reserves the right to insist that any of its objections be resolved in N.D. Cal. under FRCP 45(d)(2)(B)(i) or 45(d)(3)(A) if it perceives any deficiencies resulting from the proceedings in S.D. Fla. or in any resulting subpoena. In that regard, if Plaintiff asks the S.D. Fla. Court to make the First Amendment findings in lifting the stay to permit discovery from service providers, please provide me with a courtesy copy of any papers you file so I can ask Reddit if it's able to attempt to help satisfy the user-notice requirement. See *In re DMCA § 512(h) Subpoena to Twitter, Inc.*, No. 20-mc-80214-VC, 2022 WL 2205476, at *3 (N.D. Cal. June 21, 2022) (in resolving a discovery request that would reveal the identity of an anonymous speaker, a court should, *inter alia*, "notify the speaker and provide them with an opportunity to (anonymously) defend their anonymity").
3. If the S.D. Fla. Court lifts the stay and permits discovery to proceed, Plaintiff will need to issue an amended subpoena duces tecum that resolves Reddit's objection as to the place of compliance being in Tallahassee and its objection as to the vague scope of the request.
 1. As a practical matter, those objections can be resolved by identifying (A) the subpoena's place of compliance as Reddit's headquarters at "Reddit, Inc. 1455 Market Street, Suite 1600, San Francisco, CA 94103 or alternatively via email production to Adam Stolz at astolz@lashgoldberg.com"; and (B) the scope of documents requested as "Non-content

basic subscriber information as enumerated by 18 U.S.C. § 2703(c)(2) for the owner(s) of the Handle.”

4. Reddit’s objection as to deposition testimony can be resolved by simply omitting any request for deposition testimony in an amended subpoena, with the understanding that you reserve the right to issue a deposition subpoena later if your client determines it’s necessary and Reddit reserves the right to object to any later deposition subpoena.

Best, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800

Washington, DC 20005-3960

D. +1.202.434.1627

F. +1.202.654.6211

E. JRoche@perkinscoie.com

<image001.jpg>

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From: Adam Stolz <astolz@lashgoldberg.com>

Sent: Thursday, February 23, 2023 2:10 PM

To: Roche, John K. (WDC) <JRoche@perkinscoie.com>

Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>

Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

John:

It was nice speaking with you last week. As discussed, please let me know whether Reddit is willing to reconsider its position and provide us with the BSI for the Handle in full satisfaction of the attached Subpoena. Once again, we have no other way of obtaining the information and require it for the limited purposes of service and identification so the proper individual(s) can appear before the court and participate in the litigation.

In the meantime, given that the Subpoena sets the deposition duces tecum for February 27, 2023, you may consider it rescheduled until we agree on a future date and time if one is still necessary in light of our recent conversation. To clarify, while we remain very hopeful that we can mutually resolve the matter, we nevertheless reserve the right to take the deposition duces tecum at a date and time in the future.

I look forward to hearing back from you soon.

Thank you and regards,

Adam Stolz

Attorney

T (305) 347-4040

E astolz@lashgoldberg.com

<image003.png>

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100 SE 2nd St., Ste. 1200

Miami, Florida 33131

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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Friday, February 17, 2023 11:31 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: Sure thing – does 2:00 work for you? If so, the best way to reach me today is on my cell (703-220-7762). Thanks, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800
Washington, DC 20005-3960
D. +1.202.434.1627
F. +1.202.654.6211
E. JRoche@perkinscoie.com
<image001.jpg>
<image002.png>

From: Adam Stolz <astolz@lashgoldberg.com>
Sent: Friday, February 17, 2023 11:09 AM
To: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Cc: Martin Goldberg <mgoldberg@lashgoldberg.com>; Christen Hernandez <chernandez@lashgoldberg.com>
Subject: RE: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

Hey John,

Nice to meet you. We are in receipt of your letter dated Feb. 15, 2023. We appreciate you taking the time to promptly provide Reddit's views on the subpoena in the above-referenced matter. Are you available today for a short call to discuss? If so, please let me know a convenient time and contact number.

Thank you,

Adam Stolz

Attorney
T (305) 347-4040
E astolz@lashgoldberg.com

<image003.png>

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Miami, Florida 33131
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From: Roche, John K. (WDC) <JRoche@perkinscoie.com>
Sent: Wednesday, February 15, 2023 9:43 AM
To: Adam Stolz <astolz@lashgoldberg.com>
Subject: Reddit / Silva v. Mobile Billboards, Inc., et al., No. 1:22-cv-24262 (S.D. Fla.)

EXTERNAL:

Adam: We represent Reddit, Inc. Please see attached regarding the subpoena Reddit received in the above-referenced matter and please contact me if you'd like to discuss. Best, John

John Roche | Perkins Coie LLP

700 Thirteenth Street, N.W. Suite 800

Washington, DC 20005-3960

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E. JRoche@perkinscoie.com

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